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UNITED BEHAVIORAL HEALTH and
UNITED HEALTHCARE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

UNITED HEALTHCARE INSURANCE
COMPANY, a Connecticut Corporation,
UNITED BEHAVIORAL HEALTH, a
California Corporation, and MULTIPLAN
INC., a New York corporation,

Defendants.

CASE NO. 4:20-cv-02254

**DEFENDANT UNITED BEHAVIORAL
HEALTH'S AND UNITED HEALTHCARE
INSURANCE COMPANY'S RESPONSES
AND OBJECTIONS TO PLAINTIFF'S
FOURTH SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS**

PROPOUNDING PARTY: LD, DB, BW, RH and CJ

RESPONDING PARTY: UNITED BEHAVIORAL HEALTH and UNITED
HEALTHCARE INSURANCE COMPANY

SET NUMBER: Four (4)

PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendant United Behavioral Health (“UBH”) and United Healthcare Insurance Co. (“UHC”) respond to Plaintiffs’ Fourth Set of Requests for Production of Documents (the “Requests” and each individual “Request”). Pursuant to Federal Rule of Civil Procedure 34(b)(2)(B). As discussed with Plaintiffs’ counsel on multiple calls, including calls on January 18, 2022 (before these Requests were served) and February 14, 2022 (shortly thereafter), and as the United Defendants again reminded Plaintiffs in email correspondence on February 28, for the United Defendants to search for and produce call records Plaintiffs need to target a reasonable number of calls (*i.e.*, 25 calls) and provide specific information about those calls in Plaintiffs’ possession (*i.e.*, date, time, incoming phone number, and CSA identity). Even though Plaintiffs have represented repeatedly that they would provide this information, they have yet to do so. Instead, Plaintiffs’ Requests are for “phone records” related to 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Additionally, it appears that Plaintiffs have “cherry-picked” particular member/provider combinations, and the Requests are objectionable on this basis as well. As framed, Plaintiffs’ Requests are objectionable for all of the reasons stated herein, but the United Defendants remain willing to conduct a reasonable, good faith search if Plaintiffs can reasonably tailor their Requests and provide the necessary information that they previously represented they would provide. UBH and UHC reserve the right to amend, supplement, and correct its objections or responses as necessary.

GENERAL OBJECTIONS

1. UBH and UHC object to each and every Request, Definition, and Instruction to the extent it purports to impose obligations on UBH and UHC greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United

1 States District Court for the Northern District of California (“Local Rules”), or the Parties’
2 anticipated ESI Protocol.

3 2. UBH and UHC objects to each and every Request, Definition, and Instruction as
4 overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative
5 record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA,
6 and therefore discovery should generally be limited to the administrative record for the claims at
7 issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

8 3. UBH and UHC object to each and every Request, Definition, and Instruction to the
9 extent that it seeks information that is exempt from discovery and protected from disclosure by the
10 attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other
11 applicable privilege, doctrine, or protection.

12 4. UBH and UHC object to each and every Request, Definition, and Instruction as overly
13 broad to the extent it seeks information not relevant to the claims or defenses of any party, or
14 information disproportionate to the needs of the case and of such marginal relevance that its probative
15 value is substantially outweighed by the burden imposed on UBH and UHC in having to search for
16 and provide such information.

17 5. UBH and UHC object to each and every Request, Definition, and Instruction to the
18 extent that it seeks proprietary or other confidential information. To the extent any confidential
19 health information or other sensitive or protected business information is non-privileged and
20 responsive to the Requests for Production of Documents and not otherwise objectionable, UBH and
21 UHC will provide such information pursuant to the protections stipulated in the Parties’ protective
22 order and in accordance with such other procedures as the Parties or Court may establish to protect
23 sensitive or confidential information. UBH and UHC also reserve the right to redact discrete
24 categories of especially sensitive information that are not directly relevant to the issues in this case.

25 6. UBH and UHC object to each and every Request, Definition, and Instruction to the
26 extent that the documents requested are already in Plaintiffs’ possession or are available to Plaintiffs
27 from another source that is more convenient, less burdensome, or less expensive.
28

1 7. UBH and UHC object to each and every Request, Definition, and Instruction to the
2 extent it calls for production of documents or electronic information that would be unduly
3 burdensome.

4 8. UBH and UHC object to each and every Request, Definition, and Instruction to the
5 extent it calls for production of electronic information that is not reasonably accessible, including any
6 archived data or backup tapes that would be unduly burdensome to search or restore.

7 9. UBH and UHC object to each and every Request, Definition, and Instruction to the
8 extent that it implicates the privacy interests of third parties established by law, contract, or custom.
9 This includes, but is not limited to, information covered by the Health Insurance Portability and
10 Accountability Act, and in particular sensitive health information regarding the mental health and
11 substance abuse conditions and treatments of participants and beneficiaries who are not named
12 Plaintiffs in this case. To the extent any confidential health information is non-privileged and
13 responsive to the Requests and not otherwise objectionable, UBH and UHC will provide such
14 documents and information pursuant to the Protective Order, and reserves the right to redact
15 identifiers and other patient-specific information as well.

16 10. UBH and UHC object to each and every Request, Definition, and Instruction to the
17 extent that it seeks documents outside of UBH's and UHC's possession, custody, and control,
18 including to the extent any Requests seek information from a "United" entity other than UBH and
19 UHC.

20 11. Nothing contained herein or provided in response to the Requests consists of, or
21 should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence
22 of any alleged facts or information referenced in any Requests. By indicating that it will produce
23 non-objectionable, non-privileged responsive documents, UBH and UHC does not make a
24 representation that such documents exist or are in UBH's and UHC's possession, but only that UBH
25 and UHC will conduct the reasonable searches indicated for the documents sought.

26 12. UBH and UHC objects to each and every Request, Definition, and Instruction to the
27 extent that it seeks documents outside of the relevant scope of discovery and statute of limitations for
28 this case which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims.

1 *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238
 2 F.3d 1006, 1108 (9th Cir. 2001). In the event that UBH and UHC agree to produce documents
 3 outside of the April 2, 2016 to present timeframe—the governing statute of limitations in this case—
 4 such agreement should be deemed limited to that specific Request and is not to be construed as a
 5 waiver or admission of any kind.

6 13. UBH and UHC object to each and every Request, Definition, and Instruction to the
 7 extent that it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and
 8 significant discovery costs and search burdens on UBH and UHC.

9 14. Inadvertent production or identification of documents or communications that are
 10 privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with
 11 respect to the disclosed documents or communications or any other documents or communications or
 12 of the right of UBH and UHC to object to the use of any such documents or the subject matter thereof
 13 during subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiff
 14 will return the documents to UBH and UHC and will be precluded from disclosing or relying upon
 15 such documents in any way.

16 15. All the General Objections contained herein and Objections to Definitions and
 17 Instructions are expressly incorporated into each of the responses set forth below.

18 **OBJECTIONS TO DEFINITIONS**

19 1. UBH and UHC object to Plaintiffs’ definition of “Defendants” on the ground that it is
 20 vague and ambiguous. In particular, Plaintiffs purport to exclude Defendant United Healthcare
 21 Insurance Company. UBH and UHC will respond to these Requests for Production of Documents on
 22 behalf of United Behavioral Health and UnitedHealthcare Insurance Company, which are the named
 23 defendants in this case.

24 2. UBH and UHC object to Plaintiffs’ definition of “United” (as well as “You” and
 25 “Your”) on the ground that it is vague, ambiguous, overly broad and unduly burdensome. In
 26 particular, Plaintiffs purport to sweep in various distinct persons and entities through this definition
 27 who are not proper parties to this case and not properly subject to discovery. UBH and UHC will
 28

1 respond to these Requests for Production of Documents on behalf of United Behavioral Health and
2 UnitedHealthcare Insurance Company, which are the named defendants in this case

3 3. UBH and UHC object to Plaintiffs' definition of "person" on the ground that it is
4 overly broad and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct
5 persons and entities through this definition who are not proper parties to this case and not properly
6 subject to discovery. UBH and UHC will respond to these Requests for Production of Documents on
7 behalf of United Behavioral Health and UnitedHealthcare Insurance Company, which are the named
8 defendants in this case

9 4. UBH and UHC object to Plaintiffs' definition of "document(s)" to the extent that it
10 seeks to impose obligations on UBH and UHC beyond those required by the Federal rules. UBH and
11 UHC further object to this definition to the extent it calls for production of electronic information that
12 is not reasonably accessible, including any archived data or backup tapes that would be unduly
13 burdensome to search or restore. UBH and UHC will use the definition of "documents" set out in
14 Federal Rule 34.

15 5. UBH and UHC object to Plaintiffs' definition of "Verification of benefits" and "VOB"
16 to the extent it assumes that benefits were "verified." UBH and UHC further object that this
17 definition is vague, ambiguous, and overly broad in that it appears to refer to unlimited forms of
18 communication.

19 6. UBH and UHC object to Plaintiffs' definition of "Prior authorization" to the extent it
20 assumes that "approval" or "authorization" was obtained. UBH and UHC further object that this
21 definition is vague, ambiguous, and overly broad in that it appears to refer to unlimited forms of
22 communication.

23 7. UBH and UHC object to Plaintiffs' definition of "Utilization review" on the grounds
24 that this definition is vague, ambiguous, and overly broad in that it appears to refer to unlimited forms
25 of communication.
26
27
28

OBJECTIONS TO INSTRUCTIONS

1
2 1. UBH and UHC object to Plaintiffs' failure to number the Instructions. For purposes of
3 clarity in responding and objecting to Plaintiffs' Instructions, UBH and UHC have assigned a number
4 to each Instruction based on the Instruction's paragraph break.

5 2. UBH and UHC object to Plaintiffs' Instruction 1 to the extent it seeks documents that
6 are exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney
7 work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or
8 protection.

9 3. UBH and UHC object to Plaintiffs' Instruction 2 that Defendants "must make a
10 diligent search of your records and of other papers and materials in your possession or available to
11 you or your representatives" to the extent that this Instruction seeks to impose obligations on UBH
12 and UHC beyond those required by the Federal Rules. UBH and UHC further object to Instruction 2
13 to the extent it calls for the production of information outside of UBH's and UHC's possession,
14 custody, and control and includes documents that may already be in Plaintiffs' possession or are
15 available to Plaintiffs from another source that is more convenient, less burdensome, or less
16 expensive.

17 4. UBH and UHC object to Plaintiffs' Instruction 4 to the extent it requires Defendants to
18 "[i]dentify the portion to which you cannot respond; state the reason for your inability to respond to
19 it; and provide whatever materials you possess regarding that portion." Where UBH and UHC are
20 unable to fully respond to a request, UBH and UHC will state the reason for its inability to respond,
21 and otherwise reserves the right to meet and confer.

22 5. UBH and UHC object to Plaintiffs' Instruction 5 to the extent it purports to confer
23 obligations on UBH and UHC beyond what the Parties have agreed to in their ESI protocol.

24 6. UBH and UHC object to Plaintiffs' Instruction 6 to the extent that this Instruction
25 seeks to impose obligations on UBH and UHC beyond those required by the Federal Rules.

26 7. UBH and UHC object to Plaintiffs' Instruction 7 that "you should identify the relevant
27 Bates or reference number (or range of numbers) that corresponds" on the ground that such obligation
28 would be unduly burdensome given the broad scope and number of the requests.

8. UBH and UHC object to Plaintiffs' Instruction 8 that the "time period encompassed by each Request for Production is the same as the time period relevant to the allegations in the Complaint" to the extent that this Instruction includes periods outside the relevant scope of discovery and statute of limitations for this case which, unless otherwise noted in the specific responses below, is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims. *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238 F.3d 1006, 1108 (9th Cir. 2001).

9. UBH and UHC object to Plaintiffs' Instruction 9 that each request be deemed "continuing in nature" on the ground that such obligation would be unduly burdensome given the broad scope and number of the requests.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST NO. 1:

Any and all recordings of phone calls between United and THE EDGE TREATMENT CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00000371574. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 1:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 2:**

27 Any and all recordings of phone calls between United and WESTSIDE TREATMENT, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00001314949. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 2:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 3:

Any and all recordings of phone calls between United and SILICON BEACH OP LLC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00023139900. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 3:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 4:**

27 Any and all recordings of phone calls between United and SILICON BEACH OP LLC, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00023139903. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 4:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 5:

Any and all recordings of phone calls between United and RECOVERY UNPLUGGED ENCORE, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00049856700. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 5:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 6:**

27 Any and all recordings of phone calls between United and EMBARK RECOVERY, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00611584800. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 6:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 7:**

13 Any and all recordings of phone calls between United and OCEAN BREEZE RECOVERY
 14 LLC LLC, or its representatives, related to the member identified on your claims report production
 15 with MEMBER_ALT_ID 00803377277. This request includes the verification/eligibility of benefits
 16 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
 17 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
 18 they received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 7:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 8:**

27 Any and all recordings of phone calls between United and HIGH WATCH RECOVERY
 28 CENTER INC, or its representatives, related to the member identified on your claims report

1 production with MEMBER_ALT_ID 00803433562. This request includes the verification/eligibility
 2 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 3 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 4 services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 8:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 9:

Any and all recordings of phone calls between United and TRANSFORMATION TREATMENT CENTER INC INC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00806080045. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 9:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 10:**

27 Any and all recordings of phone calls between United and OCEAN BREEZE RECOVERY
 28 LLC LLC, or its representatives, related to the member identified on your claims report production

with MEMBER_ALT_ID 00808361210. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 10:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 11:

Any and all recordings of phone calls between United and SHORELINE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00810273004. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 11:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 12:**

27 Any and all recordings of phone calls between United and PACIFIC RECOVERY
 28 SOLUTIONS, or its representatives, related to the member identified on your claims report

1 production with MEMBER_ALT_ID 00823248387. This request includes the verification/eligibility
 2 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 3 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 4 services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 12:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 13:**

13 Any and all recordings of phone calls between United and ARISE RECOVERY CENTERS
 14 OF AMERICA LLC, or its representatives, related to the member identified on your claims report
 15 production with MEMBER_ALT_ID 00829849663. This request includes the verification/eligibility
 16 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 17 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 18 services they received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 13:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 14:**

27 Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY
 28 CENTER, or its representatives, related to the member identified on your claims report production

1 with MEMBER_ALT_ID 00831138754. This request includes the verification/eligibility of benefits
 2 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
 3 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
 4 they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 14:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 15:

Any and all recordings of phone calls between United and SUMMIT AT FLORHAM PARK LLC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00836327606. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 15:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 16:**

27 Any and all recordings of phone calls between United and BRIDGING THE GAPS, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00838324198. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 16:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 17:

Any and all recordings of phone calls between United and AUGUSTINE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00843472685. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 17:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 18:**

27 Any and all recordings of phone calls between United and HIGH WATCH RECOVERY
 28 CENTER INC, or its representatives, related to the member identified on your claims report

1 production with MEMBER_ALT_ID 00843696068. This request includes the verification/eligibility
 2 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 3 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 4 services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 18:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 19:

Any and all recordings of phone calls between United and SAGEBRUSH, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00867126787. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 19:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 20:**

27 Any and all recordings of phone calls between United and MONARCH SHORES, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00876698069. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 20:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 21:

Any and all recordings of phone calls between United and AQUILA RECOVERY INC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00877312318. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 21:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 22:**

27 Any and all recordings of phone calls between United and 449 RECOVERY INC, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00900605473. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 22:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 23:

Any and all recordings of phone calls between United and FOOTPRINTS TO RECOVERY, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00900713556. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 23:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 24:**

27 Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY
 28 CENTER, or its representatives, related to the member identified on your claims report production

1 with MEMBER_ALT_ID 00903573655. This request includes the verification/eligibility of benefits
 2 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
 3 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
 4 they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 24:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 25:

Any and all recordings of phone calls between United and AQUILA RECOVERY INC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00906146417. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 25:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 26:**

27 Any and all recordings of phone calls between United and WESTSIDE TREATMENT, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00906519368. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 26:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 27:

Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00907326522. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 27:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 28:**

27 Any and all recordings of phone calls between United and OCEAN BREEZE RECOVERY
 28 LLC LLC, or its representatives, related to the member identified on your claims report production

with MEMBER_ALT_ID 00909309712. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 28:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 29:

Any and all recordings of phone calls between United and MONARCH SHORES, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00910388432. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 29:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 30:**

27 Any and all recordings of phone calls between United and CASA RECOVERY INC, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00910503370. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 30:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 31:

Any and all recordings of phone calls between United and SEA CHANGE STA MONICA LP, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00913267265. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 31:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 32:**

27 Any and all recordings of phone calls between United and BUCKEYE RECOVERY
 28 NETWORK LLC, or its representatives, related to the member identified on your claims report

1 production with MEMBER_ALT_ID 00914028074. This request includes the verification/eligibility
 2 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 3 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 4 services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 32:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 33:

Any and all recordings of phone calls between United and AUGUSTINE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00914150600. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 33:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 34:**

27 Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY
 28 CENTER, or its representatives, related to the member identified on your claims report production

with MEMBER_ALT_ID 00916273392. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 34:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 35:**

13 Any and all recordings of phone calls between United and ARISE RECOVERY CENTERS
 14 OF AMERICA LLC, or its representatives, related to the member identified on your claims report
 15 production with MEMBER_ALT_ID 00916825497. This request includes the verification/eligibility
 16 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 17 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 18 services they received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 35:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 36:**

27 Any and all recordings of phone calls between United and PACIFIC RECOVERY
 28 SOLUTIONS, or its representatives, related to the member identified on your claims report

1 production with MEMBER_ALT_ID 00919034770. This request includes the verification/eligibility
 2 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 3 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 4 services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 36:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 37:

Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00919776590. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 37:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 38:**

27 Any and all recordings of phone calls between United and OMEGA RECOVERY, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00920103417. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 38:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 39:

Any and all recordings of phone calls between United and SALS RECOVERY CENTER LLC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00920195984. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 39:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 40:**

27 Any and all recordings of phone calls between United and PATHWAY TO HOPE, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00920940449. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 40:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 41:

Any and all recordings of phone calls between United and PCI WEST LAKE CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00921842279. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 41:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 42:**

27 Any and all recordings of phone calls between United and PATHWAY TO HOPE, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00922024974. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 42:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 43:

Any and all recordings of phone calls between United and TRANSFORMATION TREATMENT CENTER INC INC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00924458450. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 43:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 44:**

27 Any and all recordings of phone calls between United and AQUILA RECOVERY CLINIC,
 28 or its representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00925194151. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 44:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 45:

Any and all recordings of phone calls between United and TRANSFORMATIONS BY THE GULF, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00926400679. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 45:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 46:**

27 Any and all recordings of phone calls between United and STEPPING STONE OF SAN
 28 DIEGO, INC., or its representatives, related to the member identified on your claims report

1 production with MEMBER_ALT_ID 00926598613. This request includes the verification/eligibility
 2 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 3 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 4 services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 46:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 47:

Any and all recordings of phone calls between United and DESERT COVE RECOVERY CENTER LLC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00927338851. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 47:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 48:**

27 Any and all recordings of phone calls between United and DESERT COVE RECOVERY
 28 CENTER LLC, or its representatives, related to the member identified on your claims report

1 production with MEMBER_ALT_ID 00928705921. This request includes the verification/eligibility
2 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
3 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
4 services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 48:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
17 members, and instead seeks information about phone calls by providers (or unidentified
18 "representatives") even though they are not parties to this case and provider claims previously were
19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
25 the phone numbers, dates, and other specific information that could be used to search for particular
26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 49:

Any and all recordings of phone calls between United and CALIFORNIA PRIME RECOVERY SERVICES INC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00929014421. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 49:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 50:**

27 Any and all recordings of phone calls between United and SHORELINE RECOVERY
 28 CENTER, or its representatives, related to the member identified on your claims report production

with MEMBER_ALT_ID 00929341187. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 50:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 51:

Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00929466977. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 51:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 52:**

27 Any and all recordings of phone calls between United and CLEAR RECOVERY INC, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00929724242. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 52:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 53:**

13 Any and all recordings of phone calls between United and SEA CHANGE RECOVERY, or
 14 its representatives, related to the member identified on your claims report production with
 15 MEMBER_ALT_ID 00930025361. This request includes the verification/eligibility of benefits call
 16 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
 17 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
 18 received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 53:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 54:**

27 Any and all recordings of phone calls between United and EMBARK RECOVERY, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00932031073. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 54:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 55:

Any and all recordings of phone calls between United and WEST COAST RECOVERY CENTER LLC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00933053310. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 55:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 56:**

27 Any and all recordings of phone calls between United and THE EDGE TREATMENT
 28 CENTER, or its representatives, related to the member identified on your claims report production

1 with MEMBER_ALT_ID 00933073093. This request includes the verification/eligibility of benefits
 2 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
 3 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
 4 they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 56:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 57:

Any and all recordings of phone calls between United and PATHWAY TO HOPE, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00935433322. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 57:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 58:**

27 Any and all recordings of phone calls between United and WESTSIDE TREATMENT, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00936471950. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 58:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 59:

Any and all recordings of phone calls between United and THE EDGE TREATMENT CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00943979982. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 59:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 60:**

27 Any and all recordings of phone calls between United and MONARCH SHORES, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00945068167. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 60:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 61:

Any and all recordings of phone calls between United and SAGEBRUSH, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00946646309. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 61:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 62:**

27 Any and all recordings of phone calls between United and OCEAN BREEZE RECOVERY
 28 LLC LLC, or its representatives, related to the member identified on your claims report production

1 with MEMBER_ALT_ID 00947615779. This request includes the verification/eligibility of benefits
 2 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
 3 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
 4 they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 62:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 63:

Any and all recordings of phone calls between United and EMBARK RECOVERY, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00947646442. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 63:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 64:**

27 Any and all recordings of phone calls between United and OMEGA RECOVERY, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00948253331. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 64:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 65:**

13 Any and all recordings of phone calls between United and BRIDGING THE GAPS, or its
 14 representatives, related to the member identified on your claims report production with
 15 MEMBER_ALT_ID 00949489123. This request includes the verification/eligibility of benefits call
 16 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
 17 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
 18 received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 65:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 66:**

27 Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY
 28 CENTER, or its representatives, related to the member identified on your claims report production

1 with MEMBER_ALT_ID 00949798800. This request includes the verification/eligibility of benefits
2 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
3 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
4 they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 66:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
17 members, and instead seeks information about phone calls by providers (or unidentified
18 "representatives") even though they are not parties to this case and provider claims previously were
19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
25 the phone numbers, dates, and other specific information that could be used to search for particular
26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 67:**

13 Any and all recordings of phone calls between United and THE EDGE TREATMENT
 14 CENTER, or its representatives, related to the member identified on your claims report production
 15 with MEMBER_ALT_ID 00951448603. This request includes the verification/eligibility of benefits
 16 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
 17 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
 18 they received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 67:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 68:**

27 Any and all recordings of phone calls between United and CALIFORNIA PRIME
 28 RECOVERY SERVICES INC, or its representatives, related to the member identified on your claims

1 report production with MEMBER_ALT_ID 00952120516. This request includes the
 2 verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior
 3 authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to
 4 this member and the services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 68:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
 13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
 15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 17 members, and instead seeks information about phone calls by providers (or unidentified
 18 "representatives") even though they are not parties to this case and provider claims previously were
 19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
 21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
 22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
 23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
 25 the phone numbers, dates, and other specific information that could be used to search for particular
 26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
 28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 69:

Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00952777284. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 69:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 70:**

27 Any and all recordings of phone calls between United and FOOTPRINTS TO RECOVERY,
 28 or its representatives, related to the member identified on your claims report production with

1 MEMBER_ALT_ID 00954754083. This request includes the verification/eligibility of benefits call
2 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
3 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
4 received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 70:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
17 members, and instead seeks information about phone calls by providers (or unidentified
18 "representatives") even though they are not parties to this case and provider claims previously were
19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
25 the phone numbers, dates, and other specific information that could be used to search for particular
26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 71:**

13 Any and all recordings of phone calls between United and GOOD LANDING RECOVERY
 14 CORP, or its representatives, related to the member identified on your claims report production with
 15 MEMBER_ALT_ID 00958510794. This request includes the verification/eligibility of benefits call
 16 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
 17 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
 18 received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 71:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 72:**

27 Any and all recordings of phone calls between United and WESTSIDE TREATMENT, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00959501384. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 72:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 73:**

13 Any and all recordings of phone calls between United and CASA RECOVERY INC, or its
 14 representatives, related to the member identified on your claims report production with
 15 MEMBER_ALT_ID 00959885725. This request includes the verification/eligibility of benefits call
 16 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
 17 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
 18 received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 73:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 74:**

27 Any and all recordings of phone calls between United and FOOTPRINTS TO RECOVERY,
 28 or its representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00960459791. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 74:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 75:

Any and all recordings of phone calls between United and BRIDGING THE GAPS, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00960679481. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 75:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 76:**

27 Any and all recordings of phone calls between United and OCEAN BREEZE RECOVERY
 28 LLC LLC, or its representatives, related to the member identified on your claims report production

1 with MEMBER_ALT_ID 00965503758. This request includes the verification/eligibility of benefits
2 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
3 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
4 they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 76:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
17 members, and instead seeks information about phone calls by providers (or unidentified
18 "representatives") even though they are not parties to this case and provider claims previously were
19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
25 the phone numbers, dates, and other specific information that could be used to search for particular
26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 77:**

13 Any and all recordings of phone calls between United and PACIFIC RECOVERY
 14 SOLUTIONS, or its representatives, related to the member identified on your claims report
 15 production with MEMBER_ALT_ID 00966703288. This request includes the verification/eligibility
 16 of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as
 17 well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the
 18 services they received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 77:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 78:**

27 Any and all recordings of phone calls between United and PATHWAY TO HOPE, or its
 28 representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00966743694. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 78:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 79:

Any and all recordings of phone calls between United and SUMMIT AT FLORHAM PARK LLC, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00968736096. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 79:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 80:**

27 Any and all recordings of phone calls between United and CASA RECOVERY INC, or its
 28 representatives, related to the member identified on your claims report production with

1 MEMBER_ALT_ID 00969266183. This request includes the verification/eligibility of benefits call
2 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
3 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
4 received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 80:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
17 members, and instead seeks information about phone calls by providers (or unidentified
18 "representatives") even though they are not parties to this case and provider claims previously were
19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
25 the phone numbers, dates, and other specific information that could be used to search for particular
26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
 2 produce this many call recordings, particularly in the remaining time available for discovery under
 3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 81:**

13 Any and all recordings of phone calls between United and RECOVER INTEGRITY LLC, or
 14 its representatives, related to the member identified on your claims report production with
 15 MEMBER_ALT_ID 00971763607. This request includes the verification/eligibility of benefits call
 16 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
 17 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
 18 received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 81:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
 25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
 26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
 27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
 28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 82:**

27 Any and all recordings of phone calls between United and THE EDGE TREATMENT
 28 CENTER, or its representatives, related to the member identified on your claims report production

1 with MEMBER_ALT_ID 00971990746. This request includes the verification/eligibility of benefits
2 call and all subsequent utilization review, pre-certification or prior authorization calls, as well any
3 other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services
4 they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 82:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
17 members, and instead seeks information about phone calls by providers (or unidentified
18 "representatives") even though they are not parties to this case and provider claims previously were
19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
25 the phone numbers, dates, and other specific information that could be used to search for particular
26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 83:

Any and all recordings of phone calls between United and SUMMIT ESTATE RECOVERY CENTER, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00975814665. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 83:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 84:**

27 Any and all recordings of phone calls between United and TRANSFORMATION
 28 TREATMENT CENTER INC INC, or its representatives, related to the member identified on your

1 claims report production with MEMBER_ALT_ID 00977839683. This request includes the
2 verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior
3 authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to
4 this member and the services they received from this provider in your possession.

5 **RESPONSE TO REQUEST NO. 84:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 calls about topics other than the reimbursement amount for out-of-network claims for intensive
11 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
12 Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs'
13 requests not only are objectionable under the Federal Rules, but they are also objectionable under
14 HIPAA for seeking information about irrelevant treatments to putative class members who are not
15 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
16 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
17 members, and instead seeks information about phone calls by providers (or unidentified
18 "representatives") even though they are not parties to this case and provider claims previously were
19 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
20 and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-
21 certification," and "prior authorization." UBH and UHC further object to this Request on the grounds
22 that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily
23 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
24 provider or member name). Plaintiffs' counsel previously stated that they could and would provide
25 the phone numbers, dates, and other specific information that could be used to search for particular
26 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
27 on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different
28 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

1 the data summary produced in this case, and it would not be feasible to search for, review, and
2 produce this many call recordings, particularly in the remaining time available for discovery under
3 the schedule in the case. Furthermore, the member/provider combinations appear to have been
4 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
5 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
6 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
7 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
8 what can be located and produced relevant to the claims at issue in this case and these Requests.

9 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
10 remain willing to meet and confer with Plaintiffs on a potential search and production of available
11 call recordings in the manner previously discussed, as described above.

12 **REQUEST NO. 85:**

13 Any and all recordings of phone calls between United and PATHWAY TO HOPE, or its
14 representatives, related to the member identified on your claims report production with
15 MEMBER_ALT_ID 00978022192. This request includes the verification/eligibility of benefits call
16 and all subsequent utilization review, pre-certification or prior authorization calls, as well any other
17 calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they
18 received from this provider in your possession.

19 **RESPONSE TO REQUEST NO. 85:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
21 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
22 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
23 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
24 calls about topics other than the reimbursement amount for out-of-network claims for intensive
25 outpatient programs to treat substance abuse for which reimbursement rates were calculated using
26 Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’
27 requests not only are objectionable under the Federal Rules, but they are also objectionable under
28 HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
 2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
 3 members, and instead seeks information about phone calls by providers (or unidentified
 4 “representatives”) even though they are not parties to this case and provider claims previously were
 5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
 6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
 7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
 10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
 11 the phone numbers, dates, and other specific information that could be used to search for particular
 12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
 13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
 14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
 15 the data summary produced in this case, and it would not be feasible to search for, review, and
 16 produce this many call recordings, particularly in the remaining time available for discovery under
 17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
 18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
 19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
 20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
 21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
 22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
 24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
 25 call recordings in the manner previously discussed, as described above.

26 **REQUEST NO. 86:**

27 Any and all recordings of phone calls between United and FOOTPRINTS TO RECOVERY,
 28 or its representatives, related to the member identified on your claims report production with

MEMBER_ALT_ID 00978534002. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 86:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the ground that it seeks information about phone calls not involving Plaintiffs or any putative class members, and instead seeks information about phone calls by providers (or unidentified "representatives") even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "verification/eligibility of benefits call," "utilization review," "pre-certification," and "prior authorization." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "recordings of phone calls" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by provider or member name). Plaintiffs' counsel previously stated that they could and would provide the phone numbers, dates, and other specific information that could be used to search for particular phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object on the basis that, as framed, Plaintiffs appear to be seeking "phone records" for 87 different member/provider combinations, who collectively submitted more than 1,200 IOP claims according to

the data summary produced in this case, and it would not be feasible to search for, review, and produce this many call recordings, particularly in the remaining time available for discovery under the schedule in the case. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore what can be located and produced relevant to the claims at issue in this case and these Requests.

Subject to and without waiving the foregoing general and specific objections, UBH and UHC remain willing to meet and confer with Plaintiffs on a potential search and production of available call recordings in the manner previously discussed, as described above.

REQUEST NO. 87:

Any and all recordings of phone calls between United and TRANSFORMATIONS BY THE GULF, or its representatives, related to the member identified on your claims report production with MEMBER_ALT_ID 00979839706. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from this provider in your possession.

RESPONSE TO REQUEST NO. 87:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about calls about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant’s OPR product. By requesting information about irrelevant calls and treatments, Plaintiffs’ requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not

1 named plaintiffs or otherwise parties in the case. UBH and UHC further object to this Request on the
2 ground that it seeks information about phone calls not involving Plaintiffs or any putative class
3 members, and instead seeks information about phone calls by providers (or unidentified
4 “representatives”) even though they are not parties to this case and provider claims previously were
5 dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague
6 and ambiguous as to the terms “verification/eligibility of benefits call,” “utilization review,” “pre-
7 certification,” and “prior authorization.” UBH and UHC further object to this Request on the grounds
8 that it is overbroad and unduly burdensome in that “recordings of phone calls” are not readily
9 available, searchable, or producible in the manner requested by Plaintiffs in this Request (*i.e.*, by
10 provider or member name). Plaintiffs’ counsel previously stated that they could and would provide
11 the phone numbers, dates, and other specific information that could be used to search for particular
12 phone calls that Plaintiffs view as relevant, but they have yet to do so. UBH and UHC further object
13 on the basis that, as framed, Plaintiffs appear to be seeking “phone records” for 87 different
14 member/provider combinations, who collectively submitted more than 1,200 IOP claims according to
15 the data summary produced in this case, and it would not be feasible to search for, review, and
16 produce this many call recordings, particularly in the remaining time available for discovery under
17 the schedule in the case. Furthermore, the member/provider combinations appear to have been
18 “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider
19 organizations. Counsel previously have discussed that Plaintiffs’ counsel should identify a
20 manageable and appropriate subset (25 calls) to prioritize in any search, and provide the available
21 details in Plaintiffs’ counsel’s possession related to these calls, so that UBH and UHC can explore
22 what can be located and produced relevant to the claims at issue in this case and these Requests.

23 Subject to and without waiving the foregoing general and specific objections, UBH and UHC
24 remain willing to meet and confer with Plaintiffs on a potential search and production of available
25 call recordings in the manner previously discussed, as described above.

1 Dated: February 28, 2022

2 GIBSON, DUNN & CRUTCHER LLP

3
4 By: /s/ Geoffrey Sigler
5 Geoffrey Sigler (admitted *pro hac vice*)

6 Attorneys for Defendant
7 UNITED BEHAVIORAL HEALTH and UNITED
8 HEALTHCARE INSURANCE COMPANY
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CERTIFICATE OF SERVICE

I, hereby certify that on this 28th day of February 2022, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

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11 Attorneys for Defendant
UNITED BEHAVIORAL HEALTH and
12 UNITED HEALTHCARE INSURANCE COMPANY

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 UNITED HEALTHCARE INSURANCE
20 COMPANY, a Connecticut Corporation,
UNITED BEHAVIORAL HEALTH, a
21 California Corporation, and MULTIPLAN
INC., a New York corporation,

22 Defendants.
23

CASE NO. 4:20-cv-02254

**DEFENDANT UNITED BEHAVIORAL
HEALTH'S AND UNITED HEALTHCARE
INSURANCE COMPANY'S RESPONSES
AND OBJECTIONS TO PLAINTIFF'S
FIFTH SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS**

24 PROPOUNDING PARTY: LD, DB, BW, RH and CJ
25 RESPONDING PARTY: UNITED BEHAVIORAL HEALTH and UNITED
26 HEALTHCARE INSURANCE COMPANY
27 SET NUMBER: Five (5)
28

PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendant United Behavioral Health (“UBH”) and United Healthcare Insurance Co. (“UHC”) respond to Plaintiffs’ Fifth Set of Requests for Production of Documents (the “Requests” and each individual “Request”). Plaintiffs’ Requests are objectionable for all of the reasons stated herein but in particular, because they seek information and documents already sought from third parties via Rule 45 subpoenas, as well as through discovery requests previously propounded by Plaintiffs on UBH and UHC. To the extent Plaintiffs’ Requests seek documents already requested from Defendants, UBH and UHC will continue the rolling production of documents UBH and UHC have already agreed to produce, as described in the responses below. UBH and UHC remain willing to promptly and reasonably resolve the objections and other issues set out below through a meet-and-confer that should be scheduled shortly after Plaintiffs’ counsel have had an opportunity to review these responses. UBH and UHC reserve the right to amend, supplement, and correct their objections or responses as necessary.

GENERAL OBJECTIONS

1. UBH and UHC object to each and every Request, Definition, and Instruction to the extent it purports to impose obligations on UBH and UHC greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United States District Court for the Northern District of California (“Local Rules”), or the Parties’ anticipated ESI Protocol.

2. UBH and UHC objects to each and every Request, Definition, and Instruction as overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA, and therefore discovery should generally be limited to the administrative record for the claims at issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

3. UBH and UHC object to each and every Request, Definition, and Instruction to the extent that it seeks information that is exempt from discovery and protected from disclosure by the

1 attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other
2 applicable privilege, doctrine, or protection.

3 4. UBH and UHC object to each and every Request, Definition, and Instruction as overly
4 broad to the extent it seeks information not relevant to the claims or defenses of any party, or
5 information disproportionate to the needs of the case and of such marginal relevance that its probative
6 value is substantially outweighed by the burden imposed on UBH and UHC in having to search for
7 and provide such information.

8 5. UBH and UHC object to each and every Request, Definition, and Instruction to the
9 extent that it seeks proprietary or other confidential information. To the extent any confidential
10 health information or other sensitive or protected business information is non-privileged and
11 responsive to the Requests for Production of Documents and not otherwise objectionable, UBH and
12 UHC will provide such information pursuant to the protections stipulated in the Parties' protective
13 order and in accordance with such other procedures as the Parties or Court may establish to protect
14 sensitive or confidential information. UBH and UHC also reserve the right to redact discrete
15 categories of especially sensitive information that are not directly relevant to the issues in this case.

16 6. UBH and UHC object to each and every Request, Definition, and Instruction to the
17 extent that the documents requested are already in Plaintiffs' possession or are available to Plaintiffs
18 from another source that is more convenient, less burdensome, or less expensive.

19 7. UBH and UHC object to each and every Request, Definition, and Instruction to the
20 extent it calls for production of documents or electronic information that would be unduly
21 burdensome.

22 8. UBH and UHC object to each and every Request, Definition, and Instruction to the
23 extent it calls for production of electronic information that is not reasonably accessible, including any
24 archived data or backup tapes that would be unduly burdensome to search or restore.

25 9. UBH and UHC object to each and every Request, Definition, and Instruction to the
26 extent that it implicates the privacy interests of third parties established by law, contract, or custom.
27 This includes, but is not limited to, information covered by the Health Insurance Portability and
28 Accountability Act, and in particular sensitive health information regarding the mental health and

1 substance abuse conditions and treatments of participants and beneficiaries who are not named
2 Plaintiffs in this case. To the extent any confidential health information is non-privileged and
3 responsive to the Requests and not otherwise objectionable, UBH and UHC will provide such
4 documents and information pursuant to the Protective Order, and reserves the right to redact
5 identifiers and other patient-specific information as well.

6 10. UBH and UHC object to each and every Request, Definition, and Instruction to the
7 extent that it seeks documents outside of UBH's and UHC's possession, custody, and control,
8 including to the extent any Requests seek information from a "United" entity other than UBH and
9 UHC.

10 11. Nothing contained herein or provided in response to the Requests consists of, or
11 should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence
12 of any alleged facts or information referenced in any Requests. By indicating that it will produce
13 non-objectionable, non-privileged responsive documents, UBH and UHC does not make a
14 representation that such documents exist or are in UBH's and UHC's possession, but only that UBH
15 and UHC will conduct the reasonable searches indicated for the documents sought.

16 12. UBH and UHC objects to each and every Request, Definition, and Instruction to the
17 extent that it seeks documents outside of the relevant scope of discovery and statute of limitations for
18 this case which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims.
19 *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238
20 F.3d 1006, 1108 (9th Cir. 2001). In the event that UBH and UHC agree to produce documents
21 outside of the April 2, 2016 to present timeframe—the governing statute of limitations in this case—
22 such agreement should be deemed limited to that specific Request and is not to be construed as a
23 waiver or admission of any kind.

24 13. UBH and UHC object to each and every Request, Definition, and Instruction to the
25 extent that it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and
26 significant discovery costs and search burdens on UBH and UHC.

27 14. Inadvertent production or identification of documents or communications that are
28 privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with

1 respect to the disclosed documents or communications or any other documents or communications or
2 of the right of UBH and UHC to object to the use of any such documents or the subject matter thereof
3 during subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiff
4 will return the documents to UBH and UHC and will be precluded from disclosing or relying upon
5 such documents in any way.

6 15. All the General Objections contained herein and Objections to Definitions and
7 Instructions are expressly incorporated into each of the responses set forth below.

8 **OBJECTIONS TO DEFINITIONS**

9 1. UBH and UHC object to Plaintiffs' definition of "Defendants" on the ground that it is
10 vague and ambiguous.

11 2. UBH and UHC object to Plaintiffs' definition of "United" (as well as "You" and
12 "Your") on the ground that it is vague, ambiguous, overly broad and unduly burdensome. In
13 particular, Plaintiffs purport to sweep in various distinct persons and entities through this definition
14 who are not proper parties to this case and not properly subject to discovery. UBH and UHC will
15 respond to these Requests for Production of Documents on behalf of United Behavioral Health and
16 UnitedHealthcare Insurance Company, which are the named defendants in this case.

17 3. UBH and UHC object to Plaintiffs' definition of "person" on the ground that it is
18 overly broad and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct
19 persons and entities through this definition who are not proper parties to this case and not properly
20 subject to discovery. UBH and UHC will respond to these Requests for Production of Documents on
21 behalf of United Behavioral Health and UnitedHealthcare Insurance Company, which are the named
22 defendants in this case.

23 4. UBH and UHC object to Plaintiffs' definition of "document(s)" to the extent that it
24 seeks to impose obligations on UBH and UHC beyond those required by the Federal rules. UBH and
25 UHC further object to this definition to the extent it calls for production of electronic information that
26 is not reasonably accessible, including any archived data or backup tapes that would be unduly
27 burdensome to search or restore. UBH and UHC will use the definition of "documents" set out in
28 Federal Rule 34.

5. UBH and UHC object to Plaintiffs’ definition of “Administrative Service Agreement” on the grounds that this definition is vague, ambiguous, and overly broad. For example, the definition uses the phrase “including affiliated and associated entities,” and could be interpreted as seeking amendments irrelevant to the issues in the case. Any productions of Administrative Services Agreements by UBH or UHC will be focused on the agreements and amendments in its own possession, for its own customers, referring to Facility R&C.

OBJECTIONS TO INSTRUCTIONS

1. UBH and UHC object to Plaintiffs’ failure to number the Instructions. For purposes of clarity in responding and objecting to Plaintiffs’ Instructions, UBH and UHC have assigned a number to each Instruction based on the Instruction’s paragraph break.

2. UBH and UHC object to Plaintiffs’ Instruction 1 to the extent it seeks documents that are exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or protection.

3. UBH and UHC object to Plaintiffs’ Instruction 2 that Defendants “must make a diligent search of your records and of other papers and materials in your possession or available to you or your representatives” to the extent that this Instruction seeks to impose obligations on UBH and UHC beyond those required by the Federal Rules. UBH and UHC further object to Instruction 2 to the extent it calls for the production of information outside of UBH’s and UHC’s possession, custody, and control and includes documents that may already be in Plaintiffs’ possession or are available to Plaintiffs from another source that is more convenient, less burdensome, or less expensive.

4. UBH and UHC object to Plaintiffs’ Instruction 4 to the extent it requires Defendants to “[i]dentify the portion to which you cannot respond; state the reason for your inability to respond to it; and provide whatever materials you possess regarding that portion.” Where UBH and UHC are unable to fully respond to a request, UBH and UHC will state the reason for its inability to respond, and otherwise reserves the right to meet and confer.

5. UBH and UHC object to Plaintiffs' Instruction 5 to the extent it purports to confer obligations on UBH and UHC beyond what the Parties have agreed to in their ESI protocol.

6. UBH and UHC object to Plaintiffs' Instruction 6 to the extent that this Instruction seeks to impose obligations on UBH and UHC beyond those required by the Federal Rules.

7. UBH and UHC object to Plaintiffs' Instruction 7 that "you should identify the relevant Bates or reference number (or range of numbers) that corresponds" on the ground that such obligation would be unduly burdensome given the broad scope and number of the requests.

8. UBH and UHC object to Plaintiffs' Instruction 8 that the "time period encompassed by each Request for Production is the same as the time period relevant to the allegations in the Complaint" to the extent that this Instruction includes periods outside the relevant scope of discovery and statute of limitations for this case which, unless otherwise noted in the specific responses below, is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims. *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238 F.3d 1006, 1108 (9th Cir. 2001). UBH and UHC further object to Plaintiffs' Instruction 8 that each request be deemed "continuing in nature" on the ground that such obligation would be unduly burdensome given the broad scope and number of the requests.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST NO. 1:

Any and all documents produced in response to subpoenas issued by United counsel to third party healthcare providers in connection with this litigation.

RESPONSE TO REQUEST NO. 1:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, UBH and UHC will share any third party productions received from the healthcare providers subpoenaed by UBH or UHC in this action.

REQUEST NO. 2:

Any and all communications with third party healthcare providers relating to subpoenas issued to them by counsel for United in connection with this litigation

RESPONSE TO REQUEST NO. 2:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks “communications” that are irrelevant to the issues in the case. Additionally, this Request exceeds UBH and UHC’s obligations under Judge Spero’s civil minutes from the parties’ April 1, 2022 hearing. *See* Dkt. 125. Per the Court’s instructions, UBH and UHC will give notice in advance to Plaintiffs of any scheduled meet and confer conference with the subpoenaed providers at issue in the parties’ joint letter “regarding substantive scope of document production by the subpoenaed parties.”

REQUEST NO. 3:

Any and all documents and correspondence, from January 1, 2015 to present, in your possession referencing “OPR Percentile Reduction” or “Percentile Reduction”, “Fac60th”, “Fac40th”, or “Fac30th”.

RESPONSE TO REQUEST NO. 3:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. This Request could be interpreted as seeking documents that use the listed terms even though they have nothing to do with the reimbursement program and claims at issue in the case. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within a broadly-defined category that includes programs not at issue in this action. UBH and UHC

1 further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery
 2 requests and/or purports to require UBH or UHC to re-review documents already subject to review in
 3 accordance with the parameters disclosed on December 20, 2021. UBH and UHC object to this
 4 Request on the grounds that it seeks information which is subject to a claim of privilege or which is
 5 otherwise protected from disclosure by, including without limitation, the attorney-client privilege or
 6 the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks
 7 documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations
 8 in this case.

9 Subject to and without waiving the General Objections, the Objections to Definitions and
 10 Instructions, or the foregoing specific objections, UBH and UHC refers Plaintiffs to the documents
 11 they are already producing in response to Plaintiffs' previous requests, pursuant to the parameters
 12 disclosed to Plaintiffs on December 20, 2021, which are anticipated to include relevant documents
 13 responsive to this new Request as well. UBH and UHC will also meet and confer with Plaintiffs to
 14 discuss any specific issues or proposed modifications sought through this Request, to extent they are
 15 reasonably tailored to the issues in the case and do not require re-review of documents already
 16 reviewed in connection with Plaintiffs' previous requests.

17 **REQUEST NO. 4:**

18 Any and all documents, from January 1, 2015 to present, reflecting United's formulation and
 19 implementation of the Facility R&C program (also sometimes known as "OPR", "Facility
 20 Reasonable & Customary", "SSP VIANT" and "SSP Facility R&C") as well as the language used by
 21 United in its Administrative Service Agreements.

22 **RESPONSE TO REQUEST NO. 4:**

23 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 24 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 25 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 26 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 27 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 28 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as

1 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 2 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 3 documents” within a broadly-defined category that includes programs not at issue in this action.
 4 UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served
 5 discovery requests and/or purports to require UBH or UHC to re-review documents already subject to
 6 review in accordance with the parameters disclosed on December 20, 2021. UBH and UHC object to
 7 this Request on the grounds that it seeks information which is subject to a claim of privilege or which
 8 is otherwise protected from disclosure by, including without limitation, the attorney-client privilege
 9 or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks
 10 documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations
 11 in this case.

12 Subject to and without waiving the General Objections, the Objections to Definitions and
 13 Instructions, or the foregoing specific objections, UBH and UHC refers Plaintiffs to the documents
 14 they are already producing in response to Plaintiffs’ previous requests, pursuant to the parameters
 15 disclosed to Plaintiffs on December 20, 2021, which are anticipated to include relevant documents
 16 responsive to this new Request as well. UBH and UHC will also meet and confer with Plaintiffs to
 17 discuss specific issues or proposed modifications sought through this Request, to extent they are
 18 reasonably tailored to the issues in the case and do not require re-review of documents already
 19 reviewed in connection with Plaintiffs’ previous requests.

20 **REQUEST NO. 5:**

21 Any and all documents and correspondence, from January 1, 2015 to present, relating to the
 22 creation, development and existence of sales and marketing materials for the Facility R&C program.
 23 This request includes PowerPoint presentations and .pdfs reflecting suggested “elevator pitches”,
 24 printed marketing materials, and other similar resources and strategies.

25 **RESPONSE TO REQUEST NO. 5:**

26 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 27 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 28 that it seeks information not relevant to the claims or defenses of any party and not reasonably

1 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 2 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 3 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 4 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 5 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
 6 documents" within a broadly-defined category. UBH and UHC further object to the extent this
 7 Request is duplicative of Plaintiffs' previously-served discovery requests, including Request No. 28
 8 in Plaintiffs' Third Set of Requests for Production, and/or purports to require UBH or UHC to re-
 9 review documents already subject to review in accordance with the parameters disclosed on
 10 December 20, 2021. UBH and UHC further object that the terms "sales and marketing materials,"
 11 "elevator pitches," and "similar resources and strategies" are vague and ambiguous. UBH and UHC
 12 further object to this Request on the grounds that it seeks information which is subject to a claim of
 13 privilege or which is otherwise protected from disclosure by, including without limitation, the
 14 attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the
 15 extent this Request seeks documents outside the time period properly subject to discovery for
 16 Plaintiffs' claims and allegations in this case.

17 Subject to and without waiving the General Objections, the Objections to Definitions and
 18 Instructions, or the foregoing specific objections, UBH and UHC refers Plaintiffs to the documents
 19 they are already producing in response to Plaintiffs' previous requests, pursuant to the parameters
 20 disclosed to Plaintiffs on December 20, 2021, which are anticipated to include relevant documents
 21 responsive to this new Request as well. UBH and UHC will also meet and confer with Plaintiffs to
 22 discuss specific issues or proposed modifications sought through this Request, to extent they are
 23 reasonably tailored to the issues in the case and do not require re-review of documents already
 24 reviewed in connection with Plaintiffs' previous requests.

25 **REQUEST NO. 6:**

26 Documents sufficient to show any and all civil lawsuits, administrative proceedings, or
 27 investigations in which You have been a party and/or given any sworn statements, depositions, or
 28

trial testimony during the last five (5) years related to billing, coding, claims submission, or payment for services related to intensive outpatient mental health or substance abuse treatments.

RESPONSE TO REQUEST NO. 6:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "documents sufficient to show any and all civil lawsuits, administrative proceedings, or investigations" within a broadly-defined category that includes programs not at issue in this action. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests, including Request Nos. 77 and 90 in Plaintiffs' First Set of Requests for Production, and/or purports to require UBH or UHC to re-review documents already subject to review in accordance with the parameters disclosed on December 20, 2021. UBH and UHC object to the extent this Request seeks information subject to protective orders in other cases. UBH and UHC object to this Request to the extent that it requests documents that are publicly available and equally accessible to Plaintiffs. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC further object that the terms "billing," "coding," "claims submission," and "payment for services" are vague and ambiguous. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC refers Plaintiffs to the documents they are already producing in response to Plaintiffs' previous requests, pursuant to the parameters

disclosed to Plaintiffs on December 20, 2021, which are anticipated to include relevant documents responsive to this new Request as well. UBH and UHC will also meet and confer with Plaintiffs to discuss specific issues or proposed modifications sought through this Request, to extent they are reasonably tailored to the issues in the case and do not require re-review of documents already reviewed in connection with Plaintiffs' previous requests.

REQUEST NO. 7:

All documents regarding any communications with any media outlet, advocacy organization, educational institution, or government entity regarding balance bills, surprise bills, out of network reimbursement rates, and/or alleged insurer underpayments for intensive outpatient mental health or substance abuse treatments.

RESPONSE TO REQUEST NO. 7:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all documents" within a broadly-defined category that includes programs and/or claims not at issue in this action.

UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests and/or purports to require UBH or UHC to re-review documents already subject to review in accordance with the parameters disclosed on December 20, 2021. UBH and UHC object to this Request to the extent that it requests documents that are publicly available and equally accessible to Plaintiffs. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC further object that the terms "surprise bills," "advocacy organization," "balance bills," and "insurer

underpayments” are vague and ambiguous. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC refers Plaintiffs to the documents they are already producing in response to Plaintiffs’ previous requests, pursuant to the parameters disclosed to Plaintiffs on December 20, 2021, which are anticipated to include relevant documents responsive to this new Request as well. UBH and UHC will also meet and confer with Plaintiffs to discuss specific issues or proposed modifications sought through this Request, to extent they are reasonably tailored to the issues in the case and do not require re-review of documents already reviewed in connection with Plaintiffs’ previous requests.

REQUEST NO. 8:

Any and all documents and correspondence, from January 1, 2015 to present, relating to the creation, development and existence of policies and procedures for responding to appeals, balance bills and member claims for intensive outpatient or substance abuse treatments. This request includes, but is not limited to, ‘hold member harmless’ or similarly termed policies and procedures.

RESPONSE TO REQUEST NO. 8:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within a broadly-defined category that does include the programs and/or claims at issue in this action. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests and/or purports to require UBH or UHC to re-review

documents already subject to review in accordance with the parameters disclosed on December 20, 2021. UBH and UHC further object that the terms “policies and procedures for responding to appeals, balance bills and member claims” and “hold member harmless” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC refers Plaintiffs to the documents they are already producing in response to Plaintiffs’ previous requests, pursuant to the parameters disclosed to Plaintiffs on December 20, 2021, which are anticipated to include relevant documents responsive to this new Request as well. UBH and UHC will also meet and confer with Plaintiffs to discuss specific issues or proposed modifications sought through this Request, to extent they are reasonably tailored to the issues in the case and do not require re-review of documents already reviewed in connection with Plaintiffs’ previous requests.

REQUEST NO. 9:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, American Airlines:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 9:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 24 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 25 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 26 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 27 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 28 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 10:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, American Express Company:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;
- c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);
- d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 10:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 regarding a reasonably tailored sample of customers for which UHC could produce documents
 2 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 3 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 4 showing fees paid by the customer for Facility R&C.

5 **REQUEST NO. 11:**

6 Any and all documents from the following categories, from January 1, 2015 to present,
 7 relating the group healthcare plan(s) administered by United for its customer, Apple:

8 a) The administrative services agreement, including all amendments thereto, between
 9 United and this customer;

10 b) Correspondence and documents relating to or discussing the adoption, selection,
 11 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
 12 Customary") savings program for this customer, this request includes both internal and external
 13 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 14 program;

15 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
 16 estimates, or other materials provided between United and this customer regarding United's Facility
 17 R&C or similar savings program(s);

18 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 19 savings program evaluations, between United and this customer referencing United's Facility R&C or
 20 similar savings program(s).

21 **RESPONSE TO REQUEST NO. 11:**

22 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 23 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 24 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 25 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 26 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 27 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 28 overly broad and unduly burdensome. By way of example only, this Request is overly broad and

unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 12:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Cisco Systems, Inc.:

1 a) The administrative services agreement, including all amendments thereto, between
2 United and this customer;

3 b) Correspondence and documents relating to or discussing the adoption, selection,
4 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
5 Customary") savings program for this customer, this request includes both internal and external
6 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
7 program;

8 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
9 estimates, or other materials provided between United and this customer regarding United's Facility
10 R&C or similar savings program(s);

11 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
12 savings program evaluations, between United and this customer referencing United's Facility R&C or
13 similar savings program(s).

14 **RESPONSE TO REQUEST NO. 12:**

15 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
16 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
17 that it seeks information not relevant to the claims or defenses of any party and not reasonably
18 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
19 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
20 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
21 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
22 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
23 documents" within broadly-defined categories that do not concern the claims and/or program at issue
24 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
25 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
26 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
27 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
28 shifting list of customers, all of whom require individualized searches within UHC and intrusive

interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 13:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Coca-Cola:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 13:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 24 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 25 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 26 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 27 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 28 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 14:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Deloitte, LLP:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 14:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 regarding a reasonably tailored sample of customers for which UHC could produce documents
 2 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 3 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 4 showing fees paid by the customer for Facility R&C.

5 **REQUEST NO. 15:**

6 Any and all documents from the following categories, from January 1, 2015 to present,
 7 relating the group healthcare plan(s) administered by United for its customer, Delta Airlines, Inc.:

8 a) The administrative services agreement, including all amendments thereto, between
 9 United and this customer;

10 b) Correspondence and documents relating to or discussing the adoption, selection,
 11 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
 12 Customary") savings program for this customer, this request includes both internal and external
 13 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 14 program;

15 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
 16 estimates, or other materials provided between United and this customer regarding United's Facility
 17 R&C or similar savings program(s);

18 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 19 savings program evaluations, between United and this customer referencing United's Facility R&C or
 20 similar savings program(s).

21 **RESPONSE TO REQUEST NO. 15:**

22 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 23 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 24 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 25 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 26 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 27 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 28 overly broad and unduly burdensome. By way of example only, this Request is overly broad and

unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 16:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Discovery, Inc.:

1 a) The administrative services agreement, including all amendments thereto, between
2 United and this customer;

3 b) Correspondence and documents relating to or discussing the adoption, selection,
4 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
5 Customary") savings program for this customer, this request includes both internal and external
6 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
7 program;

8 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
9 estimates, or other materials provided between United and this customer regarding United's Facility
10 R&C or similar savings program(s);

11 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
12 savings program evaluations, between United and this customer referencing United's Facility R&C or
13 similar savings program(s).

14 **RESPONSE TO REQUEST NO. 16:**

15 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
16 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
17 that it seeks information not relevant to the claims or defenses of any party and not reasonably
18 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
19 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
20 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
21 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
22 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
23 documents" within broadly-defined categories that do not concern the claims and/or program at issue
24 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
25 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
26 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
27 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
28 shifting list of customers, all of whom require individualized searches within UHC and intrusive

interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 17:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Fidelity Investments:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 17:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object that the terms “marketing materials,” “pitch materials,”
 24 “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague
 25 and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 26 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 27 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.
 28 UBH and UHC also object to the extent this Request seeks documents outside the time period

properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the parties' discussions about third party discovery.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 18:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Geico Corporation:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 18:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground

1 that it seeks information not relevant to the claims or defenses of any party and not reasonably
2 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
3 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
4 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
5 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
6 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
7 documents" within broadly-defined categories that do not concern the claims and/or program at issue
8 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
9 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
10 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
11 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
12 shifting list of customers, all of whom require individualized searches within UHC and intrusive
13 interactions with third parties for which the burden far exceeds their limited relevance to the case.
14 UBH and UHC further object that the terms "marketing materials," "pitch materials,"
15 "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague
16 and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
17 information which is subject to a claim of privilege or which is otherwise protected from disclosure
18 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.
19 UBH and UHC also object to the extent this Request seeks documents outside the time period
20 properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also
21 object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the
22 parties' discussions about third party discovery.

23 Subject to and without waiving the General Objections, the Objections to Definitions and
24 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
25 regarding a reasonably tailored sample of customers for which UHC could produce documents
26 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
27 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
28 showing fees paid by the customer for Facility R&C.

REQUEST NO. 19:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, General Dynamics:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 19:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To

the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 20:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Georgia Pacific, LLC:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external

1 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
2 program;

3 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
4 estimates, or other materials provided between United and this customer regarding United’s Facility
5 R&C or similar savings program(s);

6 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
7 savings program evaluations, between United and this customer referencing United’s Facility R&C or
8 similar savings program(s).

9 **RESPONSE TO REQUEST NO. 20:**

10 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
11 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
12 that it seeks information not relevant to the claims or defenses of any party and not reasonably
13 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
14 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
15 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
16 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
17 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
18 documents” within broadly-defined categories that do not concern the claims and/or program at issue
19 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
20 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
21 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
22 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
23 shifting list of customers, all of whom require individualized searches within UHC and intrusive
24 interactions with third parties for which the burden far exceeds their limited relevance to the case.
25 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
26 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
27 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
28 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks

information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 21:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Goldman Sachs & Company, LLC:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 21:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also

1 restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding
2 the subpoenas previously served on this third party plan sponsor.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
5 regarding a reasonably tailored sample of customers for which UHC could produce documents
6 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
7 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
8 showing fees paid by the customer for Facility R&C.

9 **REQUEST NO. 22:**

10 Any and all documents from the following categories, from January 1, 2015 to present,
11 relating the group healthcare plan(s) administered by United for its customer, JPMorgan Chase &
12 Company:

13 a) The administrative services agreement, including all amendments thereto, between
14 United and this customer;

15 b) Correspondence and documents relating to or discussing the adoption, selection,
16 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
17 Customary") savings program for this customer, this request includes both internal and external
18 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
19 program;

20 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
21 estimates, or other materials provided between United and this customer regarding United's Facility
22 R&C or similar savings program(s);

23 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
24 savings program evaluations, between United and this customer referencing United's Facility R&C or
25 similar savings program(s).

26 **RESPONSE TO REQUEST NO. 22:**

27 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
28 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground

1 that it seeks information not relevant to the claims or defenses of any party and not reasonably
2 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
3 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
4 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
5 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
6 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
7 documents" within broadly-defined categories that do not concern the claims and/or program at issue
8 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
9 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
10 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
11 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
12 shifting list of customers, all of whom require individualized searches within UHC and intrusive
13 interactions with third parties for which the burden far exceeds their limited relevance to the case.
14 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
15 third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch
16 materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)"
17 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
18 information which is subject to a claim of privilege or which is otherwise protected from disclosure
19 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.
20 UBH and UHC also object to the extent this Request seeks documents outside the time period
21 properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also
22 restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding
23 the subpoenas previously served on this third party plan sponsor.

24 Subject to and without waiving the General Objections, the Objections to Definitions and
25 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
26 regarding a reasonably tailored sample of customers for which UHC could produce documents
27 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
28

Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 23:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, L'Oreal, USA:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 23:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue

1 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
 2 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 3 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 4 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 5 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 6 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 7 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 8 third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch
 9 materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)"
 10 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 11 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 12 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.
 13 UBH and UHC also object to the extent this Request seeks documents outside the time period
 14 properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also
 15 restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding
 16 the subpoenas previously served on this third party plan sponsor.

17 Subject to and without waiving the General Objections, the Objections to Definitions and
 18 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 19 regarding a reasonably tailored sample of customers for which UHC could produce documents
 20 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 21 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 22 showing fees paid by the customer for Facility R&C.

23 **REQUEST NO. 24:**

24 Any and all documents from the following categories, from January 1, 2015 to present,
 25 relating the group healthcare plan(s) administered by United for its customer, MasterCard:

26 a) The administrative services agreement, including all amendments thereto, between
 27 United and this customer;
 28

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 24:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on

third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 25:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, McMaster-Carr Supply Company:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 25:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 24 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 25 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 26 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 27 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 28 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the parties' discussions about third party discovery.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 26:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Morgan Stanley:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 26:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 regarding a reasonably tailored sample of customers for which UHC could produce documents
 2 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 3 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 4 showing fees paid by the customer for Facility R&C.

5 **REQUEST NO. 27:**

6 Any and all documents from the following categories, from January 1, 2015 to present,
 7 relating the group healthcare plan(s) administered by United for its customer, National Educational
 8 Association:

9 a) The administrative services agreement, including all amendments thereto, between
 10 United and this customer;

11 b) Correspondence and documents relating to or discussing the adoption, selection,
 12 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
 13 Customary") savings program for this customer, this request includes both internal and external
 14 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 15 program;

16 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
 17 estimates, or other materials provided between United and this customer regarding United's Facility
 18 R&C or similar savings program(s);

19 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 20 savings program evaluations, between United and this customer referencing United's Facility R&C or
 21 similar savings program(s).

22 **RESPONSE TO REQUEST NO. 27:**

23 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 24 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 25 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 26 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 27 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 28 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as

1 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 2 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 3 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 4 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 5 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 6 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 7 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 8 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 9 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 10 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 11 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 12 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 13 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 14 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 15 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.
 16 UBH and UHC also object to the extent this Request seeks documents outside the time period
 17 properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also
 18 object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the
 19 parties’ discussions about third party discovery.

20 Subject to and without waiving the General Objections, the Objections to Definitions and
 21 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 22 regarding a reasonably tailored sample of customers for which UHC could produce documents
 23 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 24 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 25 showing fees paid by the customer for Facility R&C.

26 **REQUEST NO. 28:**

27 Any and all documents from the following categories, from January 1, 2015 to present,
 28 relating the group healthcare plan(s) administered by United for its customer, Nestle USA, Inc.:

1 a) The administrative services agreement, including all amendments thereto, between
2 United and this customer;

3 b) Correspondence and documents relating to or discussing the adoption, selection,
4 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
5 Customary") savings program for this customer, this request includes both internal and external
6 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
7 program;

8 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
9 estimates, or other materials provided between United and this customer regarding United's Facility
10 R&C or similar savings program(s);

11 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
12 savings program evaluations, between United and this customer referencing United's Facility R&C or
13 similar savings program(s).

14 **RESPONSE TO REQUEST NO. 28:**

15 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
16 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
17 that it seeks information not relevant to the claims or defenses of any party and not reasonably
18 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
19 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
20 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
21 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
22 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
23 documents" within broadly-defined categories that do not concern the claims and/or program at issue
24 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
25 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
26 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
27 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
28 shifting list of customers, all of whom require individualized searches within UHC and intrusive

interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 29:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Nokia:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 29:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 24 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 25 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 26 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 27 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 28 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the parties' discussions about third party discovery.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 30:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Oracle, Inc.:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 30:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 regarding a reasonably tailored sample of customers for which UHC could produce documents
 2 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 3 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 4 showing fees paid by the customer for Facility R&C.

5 **REQUEST NO. 31:**

6 Any and all documents from the following categories, from January 1, 2015 to present,
 7 relating the group healthcare plan(s) administered by United for its customer, PayPal, Inc.:

8 a) The administrative services agreement, including all amendments thereto, between
 9 United and this customer;

10 b) Correspondence and documents relating to or discussing the adoption, selection,
 11 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
 12 Customary") savings program for this customer, this request includes both internal and external
 13 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 14 program;

15 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
 16 estimates, or other materials provided between United and this customer regarding United's Facility
 17 R&C or similar savings program(s);

18 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 19 savings program evaluations, between United and this customer referencing United's Facility R&C or
 20 similar savings program(s).

21 **RESPONSE TO REQUEST NO. 31:**

22 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 23 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 24 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 25 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 26 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 27 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 28 overly broad and unduly burdensome. By way of example only, this Request is overly broad and

unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 32:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Raytheon Company:

1 a) The administrative services agreement, including all amendments thereto, between
2 United and this customer;

3 b) Correspondence and documents relating to or discussing the adoption, selection,
4 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
5 Customary") savings program for this customer, this request includes both internal and external
6 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
7 program;

8 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
9 estimates, or other materials provided between United and this customer regarding United's Facility
10 R&C or similar savings program(s);

11 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
12 savings program evaluations, between United and this customer referencing United's Facility R&C or
13 similar savings program(s).

14 **RESPONSE TO REQUEST NO. 32:**

15 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
16 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
17 that it seeks information not relevant to the claims or defenses of any party and not reasonably
18 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
19 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
20 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
21 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
22 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
23 documents" within broadly-defined categories that do not concern the claims and/or program at issue
24 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
25 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
26 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
27 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
28 shifting list of customers, all of whom require individualized searches within UHC and intrusive

interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 33:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Rite Aid Corporation:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 33:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 24 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 25 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 26 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 27 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 28 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the parties' discussions about third party discovery.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 34:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Saab:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 34:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the parties' discussions about third party discovery.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 regarding a reasonably tailored sample of customers for which UHC could produce documents
 2 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 3 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 4 showing fees paid by the customer for Facility R&C.

5 **REQUEST NO. 35:**

6 Any and all documents from the following categories, from January 1, 2015 to present,
 7 relating the group healthcare plan(s) administered by United for its customer, Textron:

8 a) The administrative services agreement, including all amendments thereto, between
 9 United and this customer;

10 b) Correspondence and documents relating to or discussing the adoption, selection,
 11 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
 12 Customary") savings program for this customer, this request includes both internal and external
 13 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 14 program;

15 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
 16 estimates, or other materials provided between United and this customer regarding United's Facility
 17 R&C or similar savings program(s);

18 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 19 savings program evaluations, between United and this customer referencing United's Facility R&C or
 20 similar savings program(s).

21 **RESPONSE TO REQUEST NO. 35:**

22 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 23 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 24 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 25 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 26 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 27 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 28 overly broad and unduly burdensome. By way of example only, this Request is overly broad and

unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the parties’ discussions about third party discovery.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 36:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Salesforce.com, Inc.:

1 a) The administrative services agreement, including all amendments thereto, between
2 United and this customer;

3 b) Correspondence and documents relating to or discussing the adoption, selection,
4 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
5 Customary") savings program for this customer, this request includes both internal and external
6 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
7 program;

8 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
9 estimates, or other materials provided between United and this customer regarding United's Facility
10 R&C or similar savings program(s);

11 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
12 savings program evaluations, between United and this customer referencing United's Facility R&C or
13 similar savings program(s).

14 **RESPONSE TO REQUEST NO. 36:**

15 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
16 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
17 that it seeks information not relevant to the claims or defenses of any party and not reasonably
18 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
19 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
20 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
21 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
22 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
23 documents" within broadly-defined categories that do not concern the claims and/or program at issue
24 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
25 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
26 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
27 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
28 shifting list of customers, all of whom require individualized searches within UHC and intrusive

interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 37:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Target Corporation:

- a) The administrative services agreement, including all amendments thereto, between United and this customer;
- b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United’s Facility R&C (also known as the “Facility Reasonable & Customary”) savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 37:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 24 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 25 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 26 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 27 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 28 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 38:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Tesla:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 38:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 regarding a reasonably tailored sample of customers for which UHC could produce documents
 2 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 3 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 4 showing fees paid by the customer for Facility R&C.

5 **REQUEST NO. 39:**

6 Any and all documents from the following categories, from January 1, 2015 to present,
 7 relating the group healthcare plan(s) administered by United for its customer, Union Pacific
 8 Corporation:

9 a) The administrative services agreement, including all amendments thereto, between
 10 United and this customer;

11 b) Correspondence and documents relating to or discussing the adoption, selection,
 12 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
 13 Customary") savings program for this customer, this request includes both internal and external
 14 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 15 program;

16 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
 17 estimates, or other materials provided between United and this customer regarding United's Facility
 18 R&C or similar savings program(s);

19 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 20 savings program evaluations, between United and this customer referencing United's Facility R&C or
 21 similar savings program(s).

22 **RESPONSE TO REQUEST NO. 39:**

23 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 24 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 25 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 26 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 27 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 28 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as

1 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 2 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 3 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 4 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 5 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 6 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 7 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 8 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 9 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 10 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 11 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 12 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 13 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 14 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 15 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.
 16 UBH and UHC also object to the extent this Request seeks documents outside the time period
 17 properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also
 18 restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding
 19 the subpoenas previously served on this third party plan sponsor.

20 Subject to and without waiving the General Objections, the Objections to Definitions and
 21 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 22 regarding a reasonably tailored sample of customers for which UHC could produce documents
 23 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 24 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 25 showing fees paid by the customer for Facility R&C.

26 **REQUEST NO. 40:**

27 Any and all documents from the following categories, from January 1, 2015 to present,
 28 relating the group healthcare plan(s) administered by United for its customer, US Bank:

1 a) The administrative services agreement, including all amendments thereto, between
2 United and this customer;

3 b) Correspondence and documents relating to or discussing the adoption, selection,
4 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
5 Customary") savings program for this customer, this request includes both internal and external
6 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
7 program;

8 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
9 estimates, or other materials provided between United and this customer regarding United's Facility
10 R&C or similar savings program(s);

11 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
12 savings program evaluations, between United and this customer referencing United's Facility R&C or
13 similar savings program(s).

14 **RESPONSE TO REQUEST NO. 40:**

15 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
16 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
17 that it seeks information not relevant to the claims or defenses of any party and not reasonably
18 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
19 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
20 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
21 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
22 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
23 documents" within broadly-defined categories that do not concern the claims and/or program at issue
24 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
25 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
26 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
27 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
28 shifting list of customers, all of whom require individualized searches within UHC and intrusive

1 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 2 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 3 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 4 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 5 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 6 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 7 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.
 8 UBH and UHC also object to the extent this Request seeks documents outside the time period
 9 properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also
 10 object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the
 11 parties’ discussions about third party discovery.

12 Subject to and without waiving the General Objections, the Objections to Definitions and
 13 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 14 regarding a reasonably tailored sample of customers for which UHC could produce documents
 15 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 16 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 17 showing fees paid by the customer for Facility R&C.

18 **REQUEST NO. 41:**

19 Any and all documents from the following categories, from January 1, 2015 to present,
 20 relating the group healthcare plan(s) administered by United for its customer, Viacom, Inc.:

- 21 a) The administrative services agreement, including all amendments thereto, between
 22 United and this customer;
- 23 b) Correspondence and documents relating to or discussing the adoption, selection,
 24 application and administration of United’s Facility R&C (also known as the “Facility Reasonable &
 25 Customary”) savings program for this customer, this request includes both internal and external
 26 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 27 program;

1 c) Marketing materials, “pitch” materials, correspondence, presentations, ‘savings’
 2 estimates, or other materials provided between United and this customer regarding United’s Facility
 3 R&C or similar savings program(s);

4 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 5 savings program evaluations, between United and this customer referencing United’s Facility R&C or
 6 similar savings program(s).

7 **RESPONSE TO REQUEST NO. 41:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 13 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as
 14 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 15 unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all
 16 documents” within broadly-defined categories that do not concern the claims and/or program at issue
 17 in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and
 18 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
 19 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
 20 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
 21 shifting list of customers, all of whom require individualized searches within UHC and intrusive
 22 interactions with third parties for which the burden far exceeds their limited relevance to the case.
 23 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on
 24 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch
 25 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”
 26 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks
 27 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 28 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 42:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, ViacomCBS, Inc.:

a) The administrative services agreement, including all amendments thereto, between United and this customer;

b) Correspondence and documents relating to or discussing the adoption, selection, application and administration of United's Facility R&C (also known as the "Facility Reasonable & Customary") savings program for this customer, this request includes both internal and external correspondence related to inquiries from this customer regarding claims paid under the Facility R&C program;

c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings' estimates, or other materials provided between United and this customer regarding United's Facility R&C or similar savings program(s);

d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other savings program evaluations, between United and this customer referencing United's Facility R&C or similar savings program(s).

RESPONSE TO REQUEST NO. 42:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms "marketing materials," "pitch materials," "reconciliations," "other saving program evaluations," and "similar savings program(s)" are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 regarding a reasonably tailored sample of customers for which UHC could produce documents
 2 sufficient to show the Administrative Services Agreement, any relevant amendments discussing
 3 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary
 4 showing fees paid by the customer for Facility R&C.

5 **REQUEST NO. 43:**

6 Any and all documents from the following categories, from January 1, 2015 to present,
 7 relating the group healthcare plan(s) administered by United for its customer, VMware, Inc.:

8 a) The administrative services agreement, including all amendments thereto, between
 9 United and this customer;

10 b) Correspondence and documents relating to or discussing the adoption, selection,
 11 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
 12 Customary") savings program for this customer, this request includes both internal and external
 13 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
 14 program;

15 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
 16 estimates, or other materials provided between United and this customer regarding United's Facility
 17 R&C or similar savings program(s);

18 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
 19 savings program evaluations, between United and this customer referencing United's Facility R&C or
 20 similar savings program(s).

21 **RESPONSE TO REQUEST NO. 43:**

22 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 23 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 24 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 25 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 26 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 27 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 28 overly broad and unduly burdensome. By way of example only, this Request is overly broad and

unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within broadly-defined categories that do not concern the claims and/or program at issue in this action. Additionally, communications with customers are irrelevant to Plaintiffs’ claims and allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC object to the extent Plaintiffs seek these categories from multiple sources regarding a long and shifting list of customers, all of whom require individualized searches within UHC and intrusive interactions with third parties for which the burden far exceeds their limited relevance to the case. UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)” are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also restate and incorporate the objections outlined in their February 1, 2022 letter to Plaintiffs regarding the subpoenas previously served on this third party plan sponsor.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs regarding a reasonably tailored sample of customers for which UHC could produce documents sufficient to show the Administrative Services Agreement, any relevant amendments discussing Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary showing fees paid by the customer for Facility R&C.

REQUEST NO. 44:

Any and all documents from the following categories, from January 1, 2015 to present, relating the group healthcare plan(s) administered by United for its customer, Wells Fargo:

1 a) The administrative services agreement, including all amendments thereto, between
2 United and this customer;

3 b) Correspondence and documents relating to or discussing the adoption, selection,
4 application and administration of United's Facility R&C (also known as the "Facility Reasonable &
5 Customary") savings program for this customer, this request includes both internal and external
6 correspondence related to inquiries from this customer regarding claims paid under the Facility R&C
7 program;

8 c) Marketing materials, "pitch" materials, correspondence, presentations, 'savings'
9 estimates, or other materials provided between United and this customer regarding United's Facility
10 R&C or similar savings program(s);

11 d) Monthly invoices, bills, quarterly or other savings reconciliations, quarterly or other
12 savings program evaluations, between United and this customer referencing United's Facility R&C or
13 similar savings program(s).

14 **RESPONSE TO REQUEST NO. 44:**

15 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
16 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
17 that it seeks information not relevant to the claims or defenses of any party and not reasonably
18 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
19 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
20 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
21 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
22 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
23 documents" within broadly-defined categories that do not concern the claims and/or program at issue
24 in this action. Additionally, communications with customers are irrelevant to Plaintiffs' claims and
25 allegations in this case, as Plaintiffs assert claims on behalf of members and not plan sponsors. To
26 the extent the customers are relevant at all, they are only marginally relevant, and UBH and UHC
27 object to the extent Plaintiffs seek these categories from multiple sources regarding a long and
28 shifting list of customers, all of whom require individualized searches within UHC and intrusive

1 interactions with third parties for which the burden far exceeds their limited relevance to the case.

2 UBH and UHC further object to the extent this Request is duplicative of requests Plaintiffs served on

3 third parties to this action. UBH and UHC further object that the terms “marketing materials,” “pitch

4 materials,” “reconciliations,” “other saving program evaluations,” and “similar savings program(s)”

5 are vague and ambiguous. UBH and UHC further object to this Request on the grounds that it seeks

6 information which is subject to a claim of privilege or which is otherwise protected from disclosure

7 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

8 UBH and UHC also object to the extent this Request seeks documents outside the time period

9 properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH and UHC also

10 object that this plan sponsor is not one of the 25 plan sponsors Plaintiffs subpoenaed pursuant to the

11 parties’ discussions about third party discovery.

12 Subject to and without waiving the General Objections, the Objections to Definitions and

13 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

14 regarding a reasonably tailored sample of customers for which UHC could produce documents

15 sufficient to show the Administrative Services Agreement, any relevant amendments discussing

16 Facility R&C, any readily available marketing materials regarding Facility R&C, and a summary

17 showing fees paid by the customer for Facility R&C.

18

19 Dated: April 21, 2022

20 GIBSON, DUNN & CRUTCHER LLP

21

22 By: /s/ Geoffrey Sigler

23 Geoffrey Sigler (admitted *pro hac vice*)

24 Attorneys for Defendant

25 UNITED BEHAVIORAL HEALTH and UNITED

26 HEALTHCARE INSURANCE COMPANY

27

28

CERTIFICATE OF SERVICE

I, hereby certify that on this 21st day of April 2022, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

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/s/ Geoffrey Sigler

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11 Attorneys for Defendant
UNITED BEHAVIORAL HEALTH and
12 UNITED HEALTHCARE INSURANCE COMPANY

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 UNITED HEALTHCARE INSURANCE
20 COMPANY, a Connecticut Corporation,
UNITED BEHAVIORAL HEALTH, a
21 California Corporation, and MULTIPLAN
INC., a New York corporation,

22 Defendants.
23

CASE NO. 4:20-cv-02254

**DEFENDANT UNITED BEHAVIORAL
HEALTH'S AND UNITED HEALTHCARE
INSURANCE COMPANY'S RESPONSES
AND OBJECTIONS TO PLAINTIFF'S
SIXTH SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS**

24 PROPOUNDING PARTY: LD, DB, BW, RH and CJ
25 RESPONDING PARTY: UNITED BEHAVIORAL HEALTH and UNITED
26 HEALTHCARE INSURANCE COMPANY
27 SET NUMBER: Six (6)
28

PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendant United Behavioral Health (“UBH”) and United Healthcare Insurance Co. (“UHC”) respond to Plaintiffs’ Sixth Set of Requests for Production of Documents (the “Requests” and each individual “Request”). Plaintiffs’ Requests are objectionable for all of the reasons stated herein but in particular, because they seek information and documents already sought through discovery requests previously propounded by Plaintiffs on UBH and UHC and because they seek information and documents irrelevant to this case which concerns reimbursement of IOP claims using Viant’s OPR product. To the extent Plaintiffs’ Requests seek documents already requested from Defendants, UBH and UHC will continue the rolling production of documents UBH and UHC have already agreed to produce, as described in the responses below. UBH and UHC remain willing to promptly and reasonably resolve the objections and other issues set out below through a meet-and-confer that should be scheduled shortly after Plaintiffs’ counsel have had an opportunity to review these responses. UBH and UHC reserve the right to amend, supplement, and correct their objections or responses as necessary.

GENERAL OBJECTIONS

1. UBH and UHC object to each and every Request, Definition, and Instruction to the extent it purports to impose obligations on UBH and UHC greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United States District Court for the Northern District of California (“Local Rules”), or the Parties’ anticipated ESI Protocol.

2. UBH and UHC objects to each and every Request, Definition, and Instruction as overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA, and therefore discovery should generally be limited to the administrative record for the claims at issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

3. UBH and UHC object to each and every Request, Definition, and Instruction to the extent that it seeks information that is exempt from discovery and protected from disclosure by the

1 attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other
2 applicable privilege, doctrine, or protection.

3 4. UBH and UHC object to each and every Request, Definition, and Instruction as overly
4 broad to the extent it seeks information not relevant to the claims or defenses of any party, or
5 information disproportionate to the needs of the case and of such marginal relevance that its probative
6 value is substantially outweighed by the burden imposed on UBH and UHC in having to search for
7 and provide such information.

8 5. UBH and UHC object to each and every Request, Definition, and Instruction to the
9 extent that it seeks proprietary or other confidential information. To the extent any confidential
10 health information or other sensitive or protected business information is non-privileged and
11 responsive to the Requests for Production of Documents and not otherwise objectionable, UBH and
12 UHC will provide such information pursuant to the protections stipulated in the Parties' protective
13 order and in accordance with such other procedures as the Parties or Court may establish to protect
14 sensitive or confidential information. UBH and UHC also reserve the right to redact discrete
15 categories of especially sensitive information that are not directly relevant to the issues in this case.

16 6. UBH and UHC object to each and every Request, Definition, and Instruction to the
17 extent that the documents requested are already in Plaintiffs' possession or are available to Plaintiffs
18 from another source that is more convenient, less burdensome, or less expensive.

19 7. UBH and UHC object to each and every Request, Definition, and Instruction to the
20 extent it calls for production of documents or electronic information that would be unduly
21 burdensome.

22 8. UBH and UHC object to each and every Request, Definition, and Instruction to the
23 extent it calls for production of electronic information that is not reasonably accessible, including any
24 archived data or backup tapes that would be unduly burdensome to search or restore.

25 9. UBH and UHC object to each and every Request, Definition, and Instruction to the
26 extent that it implicates the privacy interests of third parties established by law, contract, or custom.
27 This includes, but is not limited to, information covered by the Health Insurance Portability and
28 Accountability Act, and in particular sensitive health information regarding the mental health and

1 substance abuse conditions and treatments of participants and beneficiaries who are not named
2 Plaintiffs in this case. To the extent any confidential health information is non-privileged and
3 responsive to the Requests and not otherwise objectionable, UBH and UHC will provide such
4 documents and information pursuant to the Protective Order, and reserves the right to redact
5 identifiers and other patient-specific information as well.

6 10. UBH and UHC object to each and every Request, Definition, and Instruction to the
7 extent that it seeks documents outside of UBH's and UHC's possession, custody, and control,
8 including to the extent any Requests seek information from a "United" entity other than UBH and
9 UHC.

10 11. Nothing contained herein or provided in response to the Requests consists of, or
11 should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence
12 of any alleged facts or information referenced in any Requests. By indicating that it will produce
13 non-objectionable, non-privileged responsive documents, UBH and UHC does not make a
14 representation that such documents exist or are in UBH's and UHC's possession, but only that UBH
15 and UHC will conduct the reasonable searches indicated for the documents sought.

16 12. UBH and UHC objects to each and every Request, Definition, and Instruction to the
17 extent that it seeks documents outside of the relevant scope of discovery and statute of limitations for
18 this case which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims.
19 *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238
20 F.3d 1006, 1108 (9th Cir. 2001). In the event that UBH and UHC agree to produce documents
21 outside of the April 2, 2016 to present timeframe—the governing statute of limitations in this case—
22 such agreement should be deemed limited to that specific Request and is not to be construed as a
23 waiver or admission of any kind.

24 13. UBH and UHC object to each and every Request, Definition, and Instruction to the
25 extent that it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and
26 significant discovery costs and search burdens on UBH and UHC.

27 14. Inadvertent production or identification of documents or communications that are
28 privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with

1 respect to the disclosed documents or communications or any other documents or communications or
 2 of the right of UBH and UHC to object to the use of any such documents or the subject matter thereof
 3 during subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiff
 4 will return the documents to UBH and UHC and will be precluded from disclosing or relying upon
 5 such documents in any way.

6 15. All the General Objections contained herein and Objections to Definitions and
 7 Instructions are expressly incorporated into each of the responses set forth below.

8 **OBJECTIONS TO DEFINITIONS**

9 1. UBH and UHC object to Plaintiffs' definition of "Defendants" on the ground that it is
 10 vague and ambiguous.

11 2. UBH and UHC object to Plaintiffs' definition of "United" (as well as "You" and
 12 "Your") on the ground that it is vague, ambiguous, overly broad and unduly burdensome. In
 13 particular, Plaintiffs purport to sweep in various distinct persons and entities through this definition
 14 who are not proper parties to this case and not properly subject to discovery. UBH and UHC will
 15 respond to these Requests for Production of Documents on behalf of United Behavioral Health and
 16 UnitedHealthcare Insurance Company, which are the named defendants in this case.

17 3. UBH and UHC object to Plaintiffs' definition of "person" on the ground that it is
 18 overly broad and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct
 19 persons and entities through this definition who are not proper parties to this case and not properly
 20 subject to discovery. UBH and UHC will respond to these Requests for Production of Documents on
 21 behalf of United Behavioral Health and UnitedHealthcare Insurance Company, which are the named
 22 defendants in this case.

23 4. UBH and UHC object to Plaintiffs' definition of "document(s)" to the extent that it
 24 seeks to impose obligations on UBH and UHC beyond those required by the Federal rules. UBH and
 25 UHC further object to this definition to the extent it calls for production of electronic information that
 26 is not reasonably accessible, including any archived data or backup tapes that would be unduly
 27 burdensome to search or restore. UBH and UHC will use the definition of "documents" set out in
 28 Federal Rule 34.

1 custody, and control and includes documents that may already be in Plaintiffs' possession or are
 2 available to Plaintiffs from another source that is more convenient, less burdensome, or less
 3 expensive.

4 4. UBH and UHC object to Plaintiffs' Instruction 4 to the extent it requires Defendants to
 5 "[i]dentify the portion to which you cannot respond; state the reason for your inability to respond to
 6 it; and provide whatever materials you possess regarding that portion." Where UBH and UHC are
 7 unable to fully respond to a request, UBH and UHC will state the reason for its inability to respond,
 8 and otherwise reserves the right to meet and confer.

9 5. UBH and UHC object to Plaintiffs' Instruction 5 to the extent it purports to confer
 10 obligations on UBH and UHC beyond what the Parties have agreed to in their ESI protocol.

11 6. UBH and UHC object to Plaintiffs' Instruction 6 to the extent that this Instruction
 12 seeks to impose obligations on UBH and UHC beyond those required by the Federal Rules.

13 7. UBH and UHC object to Plaintiffs' Instruction 7 that "you should identify the relevant
 14 Bates or reference number (or range of numbers) that corresponds" on the ground that such obligation
 15 would be unduly burdensome given the broad scope and number of the requests.

16 8. UBH and UHC object to Plaintiffs' Instruction 8 that the "time period encompassed by
 17 each Request for Production is the same as the time period relevant to the allegations in the
 18 Complaint" to the extent that this Instruction includes periods outside the relevant scope of discovery
 19 and statute of limitations for this case which, unless otherwise noted in the specific responses below,
 20 is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims. *See Withrow v.*
 21 *Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238 F.3d 1006, 1108
 22 (9th Cir. 2001).

23 9. UBH and UHC object to Plaintiffs' Instruction 9 that each request be deemed
 24 "continuing in nature" on the ground that such obligation would be unduly burdensome given the
 25 broad scope and number of the requests.

26 **SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION**

27 **REQUEST NO. 1:**

1 The complete Administrative Record for the member claim with CLAIM_ID 795249968901,
 2 consisting of all documents, records, and other information relevant to the claim for treatment of the
 3 United's member with MEMBER_ALT_ID 00831138754 for treatment at SUMMIT ESTATE
 4 RECOVERY CENTER. This request specifically includes, but is not limited to:

5 1. A copy of the entire claim file, which includes, but is not limited to:

6 a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant
 7 messages, activity logs, correspondence with medical reviewers, correspondence with healthcare
 8 providers (including provider remittance advices), correspondence with plan member (including
 9 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
 10 communications with any third party including Multiplan regarding the pricing of the claims;

11 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
 12 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
 13 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
 14 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
 15 in determining claim eligibility, and any other claimant documents.

16 2. The applicable health plan and related documents, including the official plan document, the
 17 certificate of insurance, and the Summary Plan Description, which were in effect during the period
 18 from 07/29/19 to 07/29/19.

19 3. Any statements of policy of guidance or Claims manuals of APPLE INC.; the Defendants
 20 (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator;
 21 or any of their affiliates with respect to the member's. These documents are requested pursuant to 29
 22 C.F.R. § 2560.503-1(m)(8);

23 4. Documents sufficient to show the date on which the actual contents of the policy coverage
 24 and/or the Summary Plan Description were made available to plan participants;

25 5. Documents sufficient to show the official name of the Employee Benefits Plan and the
 26 name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
 27 Administrator;

1 6. Documents sufficient to show the name and address of the registered agent for service of
 2 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

3 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

4 **RESPONSE TO REQUEST NO. 1:**

5 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 6 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 7 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 8 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 9 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 10 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
 11 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
 12 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
 13 information about irrelevant treatments to putative class members who are not named plaintiffs or
 14 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
 15 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
 16 documents and information not limited to the claims and services at issue in this case, and to the
 17 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 18 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 19 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 20 though they are not parties to this case and provider claims previously were dismissed by the Court.
 21 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 22 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
 23 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
 24 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
 25 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 26 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
 27 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
 28 UHC further object to this Request to the extent it seeks documents and information outside of

UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 2:

The complete Administrative Record for the member claim with CLAIM_ID 793057983401, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00919776590 for treatment at SUMMIT ESTATE RECOVERY CENTER. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 07/01/19 to 07/01/19.

3. Any statements of policy of guidance or Claims manuals of APPLE INC.; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 2:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the

1 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 2 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 3 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 4 though they are not parties to this case and provider claims previously were dismissed by the Court.
 5 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 6 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
 7 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 10 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
 11 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
 12 UHC further object to this Request to the extent it seeks documents and information outside of
 13 UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third
 14 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
 15 to identify a sample of claims and now there is limited time left in which this information can be
 16 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
 17 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 18 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

19 Subject to and without waiving the foregoing objections, the United Defendants will search
 20 for and produce any non-privileged administrative record materials and plan documents that can be
 21 located following a reasonable, good faith search in remaining time left in fact discovery that shows
 22 the amounts reimbursed and information considered by the United Defendants in determining these
 23 amounts for the IOP services in the identified claim.

24 **REQUEST NO. 3:**

25 The complete Administrative Record for the member claim with CLAIM_ID 793057985301,
 26 consisting of all documents, records, and other information relevant to the claim for treatment of the
 27 United's member with MEMBER_ALT_ID 00903573655 for treatment at SUMMIT ESTATE
 28 RECOVERY CENTER. This request specifically includes, but is not limited to:

1 1. A copy of the entire claim file, which includes, but is not limited to:

2 a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant
3 messages, activity logs, correspondence with medical reviewers, correspondence with healthcare
4 providers (including provider remittance advices), correspondence with plan member (including
5 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
6 communications with any third party including Multiplan regarding the pricing of the claims;

7 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
8 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
9 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
10 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
11 in determining claim eligibility, and any other claimant documents.

12 2. The applicable health plan and related documents, including the official plan document, the
13 certificate of insurance, and the Summary Plan Description, which were in effect during the period
14 from 07/08/19 to 07/08/19.

15 3. Any statements of policy of guidance or Claims manuals of APPLE INC.; the Defendants
16 (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator;
17 or any of their affiliates with respect to the member's. These documents are requested pursuant to 29
18 C.F.R. § 2560.503-1(m)(8);

19 4. Documents sufficient to show the date on which the actual contents of the policy coverage
20 and/or the Summary Plan Description were made available to plan participants;

21 5. Documents sufficient to show the official name of the Employee Benefits Plan and name
22 and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
23 Administrator;

24 6. Documents sufficient to show the name and address of the registered agent for service of
25 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

26 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.
27
28

RESPONSE TO REQUEST NO. 3:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been "cherry-picked" based on counsel's relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be

identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 4:

The complete Administrative Record for the member claim with CLAIM_ID 749902899601, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00952777284 for treatment at SUMMIT ESTATE RECOVERY CENTER. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 11/26/18 to 11/26/18.

1 3. Any statements of policy of guidance or Claims manuals of APPLE INC.; the Defendants
 2 (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator;
 3 or any of their affiliates with respect to the member's. These documents are requested pursuant to 29
 4 C.F.R. § 2560.503-1(m)(8);

5 4. Documents sufficient to show the date on which the actual contents of the policy coverage
 6 and/or the Summary Plan Description were made available to plan participants;

7 5. Documents sufficient to show the official name of the Employee Benefits Plan and name
 8 and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
 9 Administrator;

10 6. Documents sufficient to show the name and address of the registered agent for service of
 11 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

12 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

13 **RESPONSE TO REQUEST NO. 4:**

14 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 15 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 16 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 17 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 18 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 19 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
 20 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
 21 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
 22 information about irrelevant treatments to putative class members who are not named plaintiffs or
 23 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
 24 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
 25 documents and information not limited to the claims and services at issue in this case, and to the
 26 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 27 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 28 involving Plaintiffs or any putative class members, and instead seeks information by providers even

though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms “claim file,” “Claims manual,” “official plan document,” “peer review companies,” and “any specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 5:

The complete Administrative Record for the member claim with CLAIM_ID 774722115901, consisting of all documents, records, and other information relevant to the claim for treatment of the United’s member with MEMBER_ALT_ID 00907326522 for treatment at SUMMIT ESTATE RECOVERY CENTER. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:
 - a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare

providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 04/08/19 to 04/08/19.

3. Any statements of policy of guidance or Claims manuals of TESLA; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 5:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about

1 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
2 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
3 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
4 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
5 information about irrelevant treatments to putative class members who are not named plaintiffs or
6 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
7 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
8 documents and information not limited to the claims and services at issue in this case, and to the
9 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
10 programs. UBH and UHC further object to this Request on the ground that it seeks information not
11 involving Plaintiffs or any putative class members, and instead seeks information by providers even
12 though they are not parties to this case and provider claims previously were dismissed by the Court.
13 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
14 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
15 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
16 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
17 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
18 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
19 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
20 UHC further object to this Request to the extent it seeks documents and information outside of
21 UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third
22 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
23 to identify a sample of claims and now there is limited time left in which this information can be
24 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
25 information which is subject to a claim of privilege or which is otherwise protected from disclosure
26 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

27 Subject to and without waiving the foregoing objections, the United Defendants will search
28 for and produce any non-privileged administrative record materials and plan documents that can be

located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 6:

The complete Administrative Record for the member claim with CLAIM_ID CA6270678601, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00843696068 for treatment at HIGH WATCH RECOVERY CENTER INC. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 04/02/20 to 04/07/20.

3. Any statements of policy of guidance or Claims manuals of GENERAL DYNAMICS; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

1 5. Documents sufficient to show the official name of the Employee Benefits Plan and name
 2 and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
 3 Administrator;

4 6. Documents sufficient to show the name and address of the registered agent for service of
 5 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

6 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

7 **RESPONSE TO REQUEST NO. 6:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 10 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 12 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 13 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
 14 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
 15 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
 16 information about irrelevant treatments to putative class members who are not named plaintiffs or
 17 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
 18 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
 19 documents and information not limited to the claims and services at issue in this case, and to the
 20 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 21 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 22 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 23 though they are not parties to this case and provider claims previously were dismissed by the Court.
 24 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 25 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
 26 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
 27 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
 28 available, searchable, or producible in the manner requested by Plaintiffs in this Request.

Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 7:

The complete Administrative Record for the member claim with CLAIM_ID CY2407231801, consisting of all documents, records, and other information relevant to the claim for treatment of the United’s member with MEMBER_ALT_ID 00955375640 for treatment at HIGH WATCH RECOVERY CENTER INC. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors’ notes, nurses’ notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim

1 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
2 in determining claim eligibility, and any other claimant documents.

3 2. The applicable health plan and related documents, including the official plan document, the
4 certificate of insurance, and the Summary Plan Description, which were in effect during the period
5 from 09/23/21 to 09/27/21.

6 3. Any statements of policy of guidance or Claims manuals of GENERAL DYNAMICS; the
7 Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan
8 Administrator; or any of their affiliates with respect to the member's. These documents are requested
9 pursuant to 29 C.F.R. § 2560.503-1(m)(8);

10 4. Documents sufficient to show the date on which the actual contents of the policy coverage
11 and/or the Summary Plan Description were made available to plan participants;

12 5. Documents sufficient to show the official name of the Employee Benefits Plan and the
13 name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
14 Administrator;

15 6. Documents sufficient to show the name and address of the registered agent for service of
16 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

17 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

18 **RESPONSE TO REQUEST NO. 7:**

19 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
20 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
21 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
22 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
23 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
24 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
25 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
26 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
27 information about irrelevant treatments to putative class members who are not named plaintiffs or
28 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is

overbroad and unduly burdensome including to the extent that it seeks “all” or “any” of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms “claim file,” “Claims manual,” “official plan document,” “peer review companies,” and “any specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 8:

The complete Administrative Record for the member claim with CLAIM_ID 747910143001, consisting of all documents, records, and other information relevant to the claim for treatment of the

1 United's member with MEMBER_ALT_ID 00960679481 for treatment at BRIDGING THE GAPS.
2 This request specifically includes, but is not limited to:

- 3 1. A copy of the entire claim file, which includes, but is not limited to:
 - 4 a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant
5 messages, activity logs, correspondence with medical reviewers, correspondence with healthcare
6 providers (including provider remittance advices), correspondence with plan member (including
7 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
8 communications with any third party including Multiplan regarding the pricing of the claims;
 - 9 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
10 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
11 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
12 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
13 in determining claim eligibility, and any other claimant documents.
- 14 2. The applicable health plan and related documents, including the official plan document, the
15 certificate of insurance, and the Summary Plan Description, which were in effect during the period
16 from 11/08/18 to 11/09/18.
- 17 3. Any statements of policy of guidance or Claims manuals of APPLE INC.; the Defendants
18 (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator;
19 or any of their affiliates with respect to the member's. These documents are requested pursuant to 29
20 C.F.R. § 2560.503-1(m)(8);
- 21 4. Documents sufficient to show the date on which the actual contents of the policy coverage
22 and/or the Summary Plan Description were made available to plan participants;
- 23 5. Documents sufficient to show the official name of the Employee Benefits Plan and name
24 and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
25 Administrator;
- 26 6. Documents sufficient to show the name and address of the registered agent for service of
27 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;
- 28 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 8:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been "cherry-picked" based on counsel's relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be

identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 9:

The complete Administrative Record for the member claim with CLAIM_ID 666642653101, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00939384471 for treatment at BRIDGING THE GAPS. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 07/31/17 to 08/04/17.

3. Any statements of policy of guidance or Claims manuals of SAAB, INC.; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

8. Any and all recordings of phone calls between You and the healthcare provider identified in this request, or its representatives, related to the member identified in this request. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from the healthcare provider in your possession.

RESPONSE TO REQUEST NO. 9:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or

1 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
 2 overbroad and unduly burdensome including to the extent that it seeks “all” or “any” of the requested
 3 documents and information not limited to the claims and services at issue in this case, and to the
 4 extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient
 5 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 6 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 7 though they are not parties to this case and provider claims previously were dismissed by the Court.
 8 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 9 terms “claim file,” “Claims manual,” “official plan document,” “peer review companies,” and “any
 10 specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds
 11 that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily
 12 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 13 Furthermore, the member/provider combinations appear to have been “cherry-picked” based on
 14 counsel’s relationships with particular treatment centers and/or provider organizations. UBH and
 15 UHC further object to this Request to the extent it seeks documents and information outside of
 16 UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third
 17 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
 18 to identify a sample of claims and now there is limited time left in which this information can be
 19 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
 20 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 21 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

22 Subject to and without waiving the foregoing objections, the United Defendants will search
 23 for and produce any non-privileged administrative record materials and plan documents that can be
 24 located following a reasonable, good faith search in remaining time left in fact discovery that shows
 25 the amounts reimbursed and information considered by the United Defendants in determining these
 26 amounts for the IOP services in the identified claim.

REQUEST NO. 10:

The complete Administrative Record for the member claim with CLAIM_ID 744201493701, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00921842279 for treatment at PCI WEST LAKE CENTER. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 10/22/18 to 10/29/18.

3. Any statements of policy of guidance or Claims manuals of GEICO CORPORATION; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

1 6. Documents sufficient to show the name and address of the registered agent for service of
2 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

3 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

4 **RESPONSE TO REQUEST NO. 10:**

5 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
6 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
7 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
8 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
9 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
10 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
11 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
12 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
13 information about irrelevant treatments to putative class members who are not named plaintiffs or
14 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
15 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
16 documents and information not limited to the claims and services at issue in this case, and to the
17 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
18 programs. UBH and UHC further object to this Request on the ground that it seeks information not
19 involving Plaintiffs or any putative class members, and instead seeks information by providers even
20 though they are not parties to this case and provider claims previously were dismissed by the Court.
21 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
22 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
23 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
24 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
25 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
26 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
27 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
28 UHC further object to this Request to the extent it seeks documents and information outside of

UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 11:

The complete Administrative Record for the member claim with CLAIM_ID 690601996701, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00913267265 for treatment at PCI WEST LAKE CENTER. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:
 - a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;
 - b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 12/08/17 to 12/11/17.

3. Any statements of policy of guidance or Claims manuals of ORACLE, INC.; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 11:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the

1 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 2 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 3 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 4 though they are not parties to this case and provider claims previously were dismissed by the Court.
 5 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 6 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
 7 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 10 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
 11 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
 12 UHC further object to this Request to the extent it seeks documents and information outside of
 13 UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third
 14 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
 15 to identify a sample of claims and now there is limited time left in which this information can be
 16 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
 17 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 18 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

19 Subject to and without waiving the foregoing objections, the United Defendants will search
 20 for and produce any non-privileged administrative record materials and plan documents that can be
 21 located following a reasonable, good faith search in remaining time left in fact discovery that shows
 22 the amounts reimbursed and information considered by the United Defendants in determining these
 23 amounts for the IOP services in the identified claim.

24 **REQUEST NO. 12:**

25 The complete Administrative Record for the member claim with CLAIM_ID 624099128001,
 26 consisting of all documents, records, and other information relevant to the claim for treatment of the
 27 United's member with MEMBER_ALT_ID 00818711860 for treatment at DESERT COVE
 28 RECOVERY CENTER LLC. This request specifically includes, but is not limited to:

1 1. A copy of the entire claim file, which includes, but is not limited to:

2 a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant
3 messages, activity logs, correspondence with medical reviewers, correspondence with healthcare
4 providers (including provider remittance advices), correspondence with plan member (including
5 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
6 communications with any third party including Multiplan regarding the pricing of the claims;

7 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
8 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
9 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
10 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
11 in determining claim eligibility, and any other claimant documents.

12 2. The applicable health plan and related documents, including the official plan document, the
13 certificate of insurance, and the Summary Plan Description, which were in effect during the period
14 from 11/07/16 to 11/11/16.

15 3. Any statements of policy of guidance or Claims manuals of NOKIA; the Defendants
16 including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator;
17 or any of their affiliates with respect to the member's. These documents are requested pursuant to 29
18 C.F.R. § 2560.503-1(m)(8);

19 4. Documents sufficient to show the date on which the actual contents of the policy coverage
20 and/or the Summary Plan Description were made available to plan participants;

21 5. Documents sufficient to show the official name of the Employee Benefits Plan and name
22 and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
23 Administrator;

24 6. Documents sufficient to show the name and address of the registered agent for service of
25 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

26 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

27 8. Any and all recordings of phone calls between You and the healthcare provider identified
28 in this request, or its representatives, related to the member identified in this request. This request

1 includes the verification/eligibility of benefits call and all subsequent utilization review, pre-
 2 certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or
 3 inquiry calls), related to this member and the services they received from the healthcare provider in
 4 your possession.

5 **RESPONSE TO REQUEST NO. 12:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 7 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 8 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 10 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 11 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
 12 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
 13 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
 14 information about irrelevant treatments to putative class members who are not named plaintiffs or
 15 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
 16 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
 17 documents and information not limited to the claims and services at issue in this case, and to the
 18 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 19 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 20 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 21 though they are not parties to this case and provider claims previously were dismissed by the Court.
 22 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 23 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
 24 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
 25 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
 26 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 27 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
 28 counsel's relationships with particular treatment centers and/or provider organizations. UBH and

UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 13:

The complete Administrative Record for the member claim with CLAIM_ID 625043583601, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00934387561 for treatment at DESERT COVE RECOVERY CENTER LLC. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 10/10/16 to 10/14/16.

3. Any statements of policy of guidance or Claims manuals of TEXTRON; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

8. Any and all recordings of phone calls between You and the healthcare provider identified in this request, or its representatives, related to the member identified in this request. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from the healthcare provider in your possession.

RESPONSE TO REQUEST NO. 13:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR

product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been "cherry-picked" based on counsel's relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows

1 the amounts reimbursed and information considered by the United Defendants in determining these
2 amounts for the IOP services in the identified claim.

3 **REQUEST NO. 14:**

4 The complete Administrative Record for the member claim with CLAIM_ID CA5576055101,
5 consisting of all documents, records, and other information relevant to the claim for treatment of the
6 United's member with MEMBER_ALT_ID 00935433322 for treatment at PATHWAY TO HOPE.

7 This request specifically includes, but is not limited to:

8 1. A copy of the entire claim file, which includes, but is not limited to:

9 a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant
10 messages, activity logs, correspondence with medical reviewers, correspondence with healthcare
11 providers (including provider remittance advices), correspondence with plan member (including
12 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
13 communications with any third party including Multiplan regarding the pricing of the claims;

14 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
15 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
16 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
17 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
18 in determining claim eligibility, and any other claimant documents.

19 2. The applicable health plan and related documents, including the official plan document, the
20 certificate of insurance, and the Summary Plan Description, which were in effect during the period
21 from 04/08/20 to 04/10/20.

22 3. Any statements of policy of guidance or Claims manuals of CISCO SYSTEMS, INC.; the
23 Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan
24 Administrator; or any of their affiliates with respect to the member's. These documents the requested
25 pursuant to 29 C.F.R. § 2560.503-1(m)(8);

26 4. Documents sufficient to show the date on which the actual contents of the policy coverage
27 and/or the Summary Plan Description were made available to plan participants;

1 5. Documents sufficient to show the official name of the Employee Benefits Plan and the
2 name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
3 Administrator;

4 6. Documents sufficient to show the name and address of the registered agent for service of
5 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

6 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

7 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
9 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
10 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
11 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
12 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
13 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
14 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
15 information about irrelevant treatments to putative class members who are not named plaintiffs or
16 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
17 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
18 documents and information not limited to the claims and services at issue in this case, and to the
19 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
20 programs. UBH and UHC further object to this Request on the ground that it seeks information not
21 involving Plaintiffs or any putative class members, and instead seeks information by providers even
22 though they are not parties to this case and provider claims previously were dismissed by the Court.
23 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
24 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
25 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
26 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
27 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
28 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on

counsel's relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

RESPONSE TO REQUEST NO. 14:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not

1 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 2 though they are not parties to this case and provider claims previously were dismissed by the Court.
 3 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 4 terms “claim file,” “Claims manual,” “official plan document,” “peer review companies,” and “any
 5 specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds
 6 that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily
 7 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 8 Furthermore, the member/provider combinations appear to have been “cherry-picked” based on
 9 counsel’s relationships with particular treatment centers and/or provider organizations. UBH and
 10 UHC further object to this Request to the extent it seeks documents and information outside of
 11 UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third
 12 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
 13 to identify a sample of claims and now there is limited time left in which this information can be
 14 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
 15 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 16 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

17 Subject to and without waiving the foregoing objections, the United Defendants will search
 18 for and produce any non-privileged administrative record materials and plan documents that can be
 19 located following a reasonable, good faith search in remaining time left in fact discovery that shows
 20 the amounts reimbursed and information considered by the United Defendants in determining these
 21 amounts for the IOP services in the identified claim.

22 **REQUEST NO. 15:**

23 The complete Administrative Record for the member claim with CLAIM_ID AY9855962001,
 24 consisting of all documents, records, and other information relevant to the claim for treatment of the
 25 United’s member with MEMBER_ALT_ID 00920940449 for treatment at PATHWAY TO HOPE.
 26 This request specifically includes, but not limited to:

- 27 1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 03/06/20 to 03/06/20.

3. Any statements of policy of guidance or Claims manuals of RITE AID CORPORATION; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 15:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the

ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been "cherry-picked" based on counsel's relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

1 Subject to and without waiving the foregoing objections, the United Defendants will search
 2 for and produce any non-privileged administrative record materials and plan documents that can be
 3 located following a reasonable, good faith search in remaining time left in fact discovery that shows
 4 the amounts reimbursed and information considered by the United Defendants in determining these
 5 amounts for the IOP services in the identified claim.

6 **REQUEST NO. 16:**

7 The complete Administrative Record for the member claim with CLAIM_ID 761206939101,
 8 consisting of all documents, records, and other information relevant to the claim for treatment of the
 9 United's member with MEMBER_ALT_ID 00975029724 for treatment at OCEAN BREEZE
 10 RECOVERY LLC. This request specifically includes, but is not limited to:

11 1. A copy of the entire claim file, which includes, but is not limited to:

12 a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant
 13 messages, activity logs, correspondence with medical reviewers, correspondence with healthcare
 14 providers (including provider remittance advices), correspondence with plan member (including
 15 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
 16 communications with any third party including Multiplan regarding the pricing of the claims;

17 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
 18 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
 19 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
 20 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
 21 in determining claim eligibility, and any other claimant documents.

22 2. The applicable health plan and related documents, including the official plan document, the
 23 certificate of insurance, and the Summary Plan Description, which were in effect during the period
 24 from 01/30/19 to 01/30/19.

25 3. Any statements of policy of guidance or Claims manuals of RAYTHEON COMPANY; the
 26 Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan
 27 Administrator; or any of their affiliates with respect to the member's. These documents are requested
 28 pursuant to 29 C.F.R. § 2560.503-1(m)(8);

1 4. Documents sufficient to show the date on which the actual contents of the policy coverage
2 and/or the Summary Plan Description were made available to plan participants;

3 5. Documents sufficient to show the official name of the Employee Benefits Plan and the
4 name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
5 Administrator;

6 6. Documents sufficient to show the name and address of the registered agent for service of
7 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

8 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

9 **RESPONSE TO REQUEST NO. 16:**

10 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
11 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
12 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
13 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
14 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
15 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
16 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
17 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
18 information about irrelevant treatments to putative class members who are not named plaintiffs or
19 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
20 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
21 documents and information not limited to the claims and services at issue in this case, and to the
22 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
23 programs. UBH and UHC further object to this Request on the ground that it seeks information not
24 involving Plaintiffs or any putative class members, and instead seeks information by providers even
25 though they are not parties to this case and provider claims previously were dismissed by the Court.
26 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
27 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
28 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds

that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 17:

The complete Administrative Record for the member claim with CLAIM_ID 661228944101, consisting of all documents, records, and other information relevant to the claim for treatment of the United’s member with MEMBER_ALT_ID 00932720081 for treatment at OCEAN BREEZE RECOVERY LLC. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:
 - a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 07/05/17 to 07/06/17.

3. Any statements of policy of guidance or Claims manuals of NESTLE USA, INC.; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 17:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are

1 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
2 information about irrelevant treatments to putative class members who are not named plaintiffs or
3 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
4 overbroad and unduly burdensome including to the extent that it seeks “all” or “any” of the requested
5 documents and information not limited to the claims and services at issue in this case, and to the
6 extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient
7 programs. UBH and UHC further object to this Request on the ground that it seeks information not
8 involving Plaintiffs or any putative class members, and instead seeks information by providers even
9 though they are not parties to this case and provider claims previously were dismissed by the Court.
10 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
11 terms “claim file,” “Claims manual,” “official plan document,” “peer review companies,” and “any
12 specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds
13 that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily
14 available, searchable, or producible in the manner requested by Plaintiffs in this Request.

15 Furthermore, the member/provider combinations appear to have been “cherry-picked” based on
16 counsel’s relationships with particular treatment centers and/or provider organizations. UBH and
17 UHC further object to this Request to the extent it seeks documents and information outside of
18 UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third
19 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
20 to identify a sample of claims and now there is limited time left in which this information can be
21 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
22 information which is subject to a claim of privilege or which is otherwise protected from disclosure
23 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

24 Subject to and without waiving the foregoing objections, the United Defendants will search
25 for and produce any non-privileged administrative record materials and plan documents that can be
26 located following a reasonable, good faith search in remaining time left in fact discovery that shows
27 the amounts reimbursed and information considered by the United Defendants in determining these
28 amounts for the IOP services in the identified claim.

REQUEST NO. 18:

The complete Administrative Record for the member claim with CLAIM_ID CR4734681501, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00809490519 for treatment at PALM BEACH RECOVERY. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 05/31/21 to 05/31/21.

3. Any statements of policy of guidance or Claims manuals of NATIONAL EDUCATION ASSOCIATION {NEA}; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

8. Any and all recordings of phone calls between You and the healthcare provider identified in this request, or its representatives, related to the member identified in this request. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from the healthcare provider in your possession.

RESPONSE TO REQUEST NO. 18:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any

specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 19:

The complete Administrative Record for the member claim with CLAIM_ID CA9733607301, consisting of all documents, records, and other information relevant to the claim for treatment of the United’s member with MEMBER_ALT_ID 00000526414 for treatment at PACIFIC RECOVERY SOLUTIONS. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:
 - a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the

1 claims;

2 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
3 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
4 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
5 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
6 in determining claim eligibility, and any other claimant documents.

7 2. The applicable health plan and related documents, including the official plan document, the
8 certificate of insurance, and the Summary Plan Description, which were in effect during the period
9 from 04/30/20 to 04/30/20.

10 3. Any statements of policy of guidance or Claims manuals of US BANK; the Defendants
11 including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator;
12 or any of their affiliates with respect to the member's. These documents are requested pursuant to 29
13 C.F.R. § 2560.503-1(m)(8);

14 4. Documents sufficient to show the date on which the actual contents of the policy coverage
15 and/or the Summary Plan Description were made available to plan participants;

16 5. Documents sufficient to show the official name of the Employee Benefits Plan and the
17 name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
18 Administrator;

19 6. Documents sufficient to show the name and address of the registered agent for service of
20 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

21 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

22 8. Any and all recordings of phone calls between You and the healthcare provider identified
23 in this request, or its representatives, related to the member identified in this request. This request
24 includes the verification/eligibility of benefits call and all subsequent utilization review, pre-
25 certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or
26 inquiry calls), related to this member and the services they received from the healthcare provider in
27 your possession.

RESPONSE TO REQUEST NO. 19:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been "cherry-picked" based on counsel's relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be

identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 20:

The complete Administrative Record for the member claim with CLAIM_ID 769556074501, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00966703288 for treatment at PACIFIC RECOVERY SOLUTIONS. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 02/18/19 to 02/20/19.

3. Any statements of policy of guidance or Claims manuals of MCMASTER-CARR SUPPLY COMPANY; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

8. Any and all recordings of phone calls between You and the healthcare provider identified in this request, or its representatives, related to the member identified in this request. This request includes the verification/eligibility of benefits call and all subsequent utilization review, pre-certification or prior authorization calls, as well any other calls (such as claim dispute, appeal or inquiry calls), related to this member and the services they received from the healthcare provider in your possession.

RESPONSE TO REQUEST NO. 20:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or

1 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
 2 overbroad and unduly burdensome including to the extent that it seeks “all” or “any” of the requested
 3 documents and information not limited to the claims and services at issue in this case, and to the
 4 extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient
 5 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 6 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 7 though they are not parties to this case and provider claims previously were dismissed by the Court.
 8 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 9 terms “claim file,” “Claims manual,” “official plan document,” “peer review companies,” and “any
 10 specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds
 11 that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily
 12 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 13 Furthermore, the member/provider combinations appear to have been “cherry-picked” based on
 14 counsel’s relationships with particular treatment centers and/or provider organizations. UBH and
 15 UHC further object to this Request to the extent it seeks documents and information outside of
 16 UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third
 17 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
 18 to identify a sample of claims and now there is limited time left in which this information can be
 19 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
 20 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 21 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

22 Subject to and without waiving the foregoing objections, the United Defendants will search
 23 for and produce any non-privileged administrative record materials and plan documents that can be
 24 located following a reasonable, good faith search in remaining time left in fact discovery that shows
 25 the amounts reimbursed and information considered by the United Defendants in determining these
 26 amounts for the IOP services in the identified claim.

REQUEST NO. 21:

The complete Administrative Record for the member claim with CLAIM_ID 794566171401, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00920520108 for treatment at NEW LIFE TREATMENT CENTER. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 07/31/19 to 08/01/19.

3. Any statements of policy of guidance or Claims manuals of TESLA; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

1 6. Documents sufficient to show the name and address of the registered agent for service of
 2 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

3 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

4 **RESPONSE TO REQUEST NO. 21:**

5 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 6 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 7 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 8 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 9 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 10 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
 11 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
 12 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
 13 information about irrelevant treatments to putative class members who are not named plaintiffs or
 14 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
 15 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
 16 documents and information not limited to the claims and services at issue in this case, and to the
 17 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 18 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 19 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 20 though they are not parties to this case and provider claims previously were dismissed by the Court.
 21 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 22 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
 23 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
 24 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
 25 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 26 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
 27 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
 28 UHC further object to this Request to the extent it seeks documents and information outside of

UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 22:

The complete Administrative Record for the member claim with CLAIM_ID 737594321501, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00963715513 for treatment at NEW LIFE TREATMENT CENTER. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:
 - a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;
 - b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 09/17/18 to 09/18/18.

3. Any statements of policy of guidance or Claims manuals of WELLS FARGO; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 22:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the

1 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 2 programs. UBH and UHC further object to this Request on the ground that it seeks information not
 3 involving Plaintiffs or any putative class members, and instead seeks information by providers even
 4 though they are not parties to this case and provider claims previously were dismissed by the Court.
 5 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
 6 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
 7 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
 8 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
 9 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
 10 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
 11 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
 12 UHC further object to this Request to the extent it seeks documents and information outside of
 13 UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third
 14 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
 15 to identify a sample of claims and now there is limited time left in which this information can be
 16 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
 17 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 18 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

19 Subject to and without waiving the foregoing objections, the United Defendants will search
 20 for and produce any non-privileged administrative record materials and plan documents that can be
 21 located following a reasonable, good faith search in remaining time left in fact discovery that shows
 22 the amounts reimbursed and information considered by the United Defendants in determining these
 23 amounts for the IOP services in the identified claim.

24 **REQUEST NO. 23:**

25 The complete Administrative Record for the member claim with CLAIM_ID 604360045001,
 26 consisting of all documents, records, and other information relevant to the claim for treatment of the
 27 United's member with MEMBER_ALT_ID 00926598613 for treatment at STEPPING STONE OF
 28 SAN DIEGO, INC. This request specifically includes, but is not limited to:

1 1. A copy of the entire claim file, which includes, but is not limited to:

2 a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant
3 messages, activity logs, correspondence with medical reviewers, correspondence with healthcare
4 providers (including provider remittance advices), correspondence with plan member (including
5 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
6 communications with any third party including Multiplan regarding the pricing of the claims;

7 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
8 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
9 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
10 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
11 in determining claim eligibility, and any other claimant documents.

12 2. The applicable health plan and related documents, including the official plan document, the
13 certificate of insurance, and the Summary Plan Description, which were in effect during the period
14 from 06/20/16 to 06/24/16.

15 3. Any statements of policy of guidance or Claims manuals of APPLE INC.; the Defendants
16 (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator;
17 or any of their affiliates with respect to the member's. These documents are requested pursuant to 29
18 C.F.R. § 2560.503-1(m)(8);

19 4. Documents sufficient to show the date on which the actual contents of the policy coverage
20 and/or the Summary Plan Description were made available to plan participants;

21 5. Documents sufficient to show the official name of the Employee Benefits Plan and the
22 name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
23 Administrator;

24 6. Documents sufficient to show the name and address of the registered agent for service of
25 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

26 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.
27
28

RESPONSE TO REQUEST NO. 23:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been "cherry-picked" based on counsel's relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be

identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 24:

The complete Administrative Record for the member claim with CLAIM_ID CL3731426201, consisting of all documents, records, and other information relevant to the claim for treatment of the United's member with MEMBER_ALT_ID 00928097365 for treatment at ARISE RECOVERY CENTERS OF AMERICA LLC. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:

a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare providers (including provider remittance advices), correspondence with plan member (including explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and communications with any third party including Multiplan regarding the pricing of the claims;

b. all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents.

2. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect during the period from 02/18/21 to 02/18/21.

3. Any statements of policy of guidance or Claims manuals of GEICO CORPORATION; the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan Administrator; or any of their affiliates with respect to the member's. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);

4. Documents sufficient to show the date on which the actual contents of the policy coverage and/or the Summary Plan Description were made available to plan participants;

5. Documents sufficient to show the official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;

6. Documents sufficient to show the name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

RESPONSE TO REQUEST NO. 24:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking information about irrelevant treatments to putative class members who are not named plaintiffs or otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH and UHC further object to this Request on the ground that it seeks information not involving Plaintiffs or any putative class members, and instead seeks information by providers even

though they are not parties to this case and provider claims previously were dismissed by the Court. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms “claim file,” “Claims manual,” “official plan document,” “peer review companies,” and “any specific rule, guideline, or protocol.” UBH and UHC further object to this Request on the grounds that it is overbroad and unduly burdensome in that “Administrative Record[s]” are not readily available, searchable, or producible in the manner requested by Plaintiffs in this Request. Furthermore, the member/provider combinations appear to have been “cherry-picked” based on counsel’s relationships with particular treatment centers and/or provider organizations. UBH and UHC further object to this Request to the extent it seeks documents and information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to identify a sample of claims and now there is limited time left in which this information can be identified and produced. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the foregoing objections, the United Defendants will search for and produce any non-privileged administrative record materials and plan documents that can be located following a reasonable, good faith search in remaining time left in fact discovery that shows the amounts reimbursed and information considered by the United Defendants in determining these amounts for the IOP services in the identified claim.

REQUEST NO. 25:

The complete Administrative Record for the member claim with CLAIM_ID 702867372201, consisting of all documents, records, and other information relevant to the claim for treatment of the United’s member with MEMBER_ALT_ID 00903502669 for treatment at ARISE RECOVERY CENTERS OF AMERICA LLC. This request specifically includes, but is not limited to:

1. A copy of the entire claim file, which includes, but is not limited to:
 - a. all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, correspondence with healthcare

1 providers (including provider remittance advices), correspondence with plan member (including
 2 explanations of benefits, patient advocacy letters and similar correspondence), medical reports, and
 3 communications with any third party including Multiplan regarding the pricing of the claims;

4 b. all medical records, paper and electronic, including, but not limited to, records of diagnostic
 5 tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications
 6 lists, prognosis, third party records, any correspondence with the claimant, third parties, claim
 7 policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved
 8 in determining claim eligibility, and any other claimant documents.

9 2. The applicable health plan and related documents, including the official plan document, the
 10 certificate of insurance, and the Summary Plan Description, which were in effect during the period
 11 from 03/01/18 to 03/01/18.

12 3. Any statements of policy of guidance or Claims manuals of FIDELITY INVESTMENTS;
 13 the Defendants (including any parent, subsidiary, and/or agent); any peer review companies; the Plan
 14 Administrator; or any of their affiliates with respect to the member's. These documents are requested
 15 pursuant to 29 C.F.R. § 2560.503-1(m)(8);

16 4. Documents sufficient to show the date on which the actual contents of the policy coverage
 17 and/or the Summary Plan Description were made available to plan participants;

18 5. Documents sufficient to show the official name of the Employee Benefits Plan and the
 19 name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan
 20 Administrator;

21 6. Documents sufficient to show the name and address of the registered agent for service of
 22 process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

23 7. A copy of any specific rule, guideline, or protocol relied upon in determining the claims.

24 **RESPONSE TO REQUEST NO. 25:**

25 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 26 Instructions in their entirety into this response. UBH and UHC further object to this Request on the
 27 ground that it seeks information not relevant to the claims or defenses of any party and not reasonably
 28 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about

1 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
2 programs to treat substance abuse for which reimbursement rates were calculated using Viant's OPR
3 product. By requesting information about irrelevant treatments, Plaintiffs' requests not only are
4 objectionable under the Federal Rules, but they are also objectionable under HIPAA for seeking
5 information about irrelevant treatments to putative class members who are not named plaintiffs or
6 otherwise parties in the case. UBH and UHC object to this Request on the grounds that it is
7 overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested
8 documents and information not limited to the claims and services at issue in this case, and to the
9 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
10 programs. UBH and UHC further object to this Request on the ground that it seeks information not
11 involving Plaintiffs or any putative class members, and instead seeks information by providers even
12 though they are not parties to this case and provider claims previously were dismissed by the Court.
13 UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the
14 terms "claim file," "Claims manual," "official plan document," "peer review companies," and "any
15 specific rule, guideline, or protocol." UBH and UHC further object to this Request on the grounds
16 that it is overbroad and unduly burdensome in that "Administrative Record[s]" are not readily
17 available, searchable, or producible in the manner requested by Plaintiffs in this Request.
18 Furthermore, the member/provider combinations appear to have been "cherry-picked" based on
19 counsel's relationships with particular treatment centers and/or provider organizations. UBH and
20 UHC further object to this Request to the extent it seeks documents and information outside of
21 UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third
22 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
23 to identify a sample of claims and now there is limited time left in which this information can be
24 identified and produced. UBH and UHC also object to this Request to the extent that it seeks
25 information which is subject to a claim of privilege or which is otherwise protected from disclosure
26 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

27 Subject to and without waiving the foregoing objections, the United Defendants will search
28 for and produce any non-privileged administrative record materials and plan documents that can be

1 located following a reasonable, good faith search in remaining time left in fact discovery that shows
2 the amounts reimbursed and information considered by the United Defendants in determining these
3 amounts for the IOP services in the identified claim.

4
5 Dated: June 3, 2022

6 GIBSON, DUNN & CRUTCHER LLP

7
8 By: /s/ Geoffrey Sigler
9 Geoffrey Sigler (admitted *pro hac vice*)

10 Attorneys for Defendant
11 UNITED BEHAVIORAL HEALTH and UNITED
12 HEALTHCARE INSURANCE COMPANY
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28

CERTIFICATE OF SERVICE

I, hereby certify that on this 3rd day of June 2022, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

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Aaron Richard Modiano (*pro hac vice*)
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/s/ Geoffrey Sigler

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11 Attorneys for Defendants
UNITED BEHAVIORAL HEALTH and
12 UNITED HEALTHCARE INSURANCE COMPANY

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 UNITED HEALTHCARE INSURANCE
20 COMPANY, a Connecticut Corporation,
UNITED BEHAVIORAL HEALTH, a
21 California Corporation, and MULTIPLAN
INC., a New York corporation,

22 Defendants.
23

CASE NO. 4:20-cv-02254

**DEFENDANTS UNITED BEHAVIORAL
HEALTH'S AND UNITED HEALTHCARE
INSURANCE COMPANY'S RESPONSES
AND OBJECTIONS TO PLAINTIFFS'
SEVENTH SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS**

24 PROPOUNDING PARTY: LD, DB, BW, RH and CJ
25 RESPONDING PARTY: UNITED BEHAVIORAL HEALTH and UNITED
26 HEALTHCARE INSURANCE COMPANY
27 SET NUMBER: Seven (7)
28

PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendants United Behavioral Health (“UBH”) and United Healthcare Insurance Co. (“UHC”) respond to Plaintiffs’ Seventh Set of Requests for Production of Documents (the “Requests” and each individual “Request”). Plaintiffs’ Requests are objectionable for all of the reasons stated herein but in particular, because they seek information and documents already sought through discovery requests previously propounded by Plaintiffs on UBH and UHC and because they seek information and documents irrelevant to this case which concerns reimbursement of IOP claims using Viant’s OPR product. To the extent Plaintiffs’ Requests seek documents already requested from Defendants, UBH and UHC will continue the rolling production of documents UBH and UHC have already agreed to produce, as described in the responses below. UBH and UHC remain willing to promptly and reasonably resolve the objections and other issues set out below through a meet-and-confer that should be scheduled shortly after Plaintiffs’ counsel have had an opportunity to review these responses. UBH and UHC reserve the right to amend, supplement, and correct their objections or responses as necessary.

GENERAL OBJECTIONS

1. UBH and UHC object to each and every Request, Definition, and Instruction to the extent it purports to impose obligations on UBH and UHC greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United States District Court for the Northern District of California (“Local Rules”), or the Parties’ anticipated ESI Protocol.

2. UBH and UHC object to each and every Request, Definition, and Instruction as overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA, and therefore discovery should generally be limited to the administrative record for the claims at issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

1 3. UBH and UHC object to each and every Request, Definition, and Instruction to the
2 extent that it seeks information that is exempt from discovery and protected from disclosure by the
3 attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other
4 applicable privilege, doctrine, or protection.

5 4. UBH and UHC object to each and every Request, Definition, and Instruction as overly
6 broad to the extent it seeks information not relevant to the claims or defenses of any party, or
7 information disproportionate to the needs of the case and of such marginal relevance that its probative
8 value is substantially outweighed by the burden imposed on UBH and UHC in having to search for
9 and provide such information.

10 5. UBH and UHC object to each and every Request, Definition, and Instruction to the
11 extent that it seeks proprietary or other confidential information. To the extent any confidential
12 health information or other sensitive or protected business information is non-privileged and
13 responsive to the Requests for Production of Documents and not otherwise objectionable, UBH and
14 UHC will provide such information pursuant to the protections stipulated in the Parties' protective
15 order and in accordance with such other procedures as the Parties or Court may establish to protect
16 sensitive or confidential information. UBH and UHC also reserve the right to redact discrete
17 categories of especially sensitive information that are not directly relevant to the issues in this case.

18 6. UBH and UHC object to each and every Request, Definition, and Instruction to the
19 extent that the documents requested are already in Plaintiffs' possession or are available to Plaintiffs
20 from another source that is more convenient, less burdensome, or less expensive.

21 7. UBH and UHC object to each and every Request, Definition, and Instruction to the
22 extent it calls for production of documents or electronic information that would be unduly
23 burdensome.

24 8. UBH and UHC object to each and every Request, Definition, and Instruction to the
25 extent it calls for production of electronic information that is not reasonably accessible, including any
26 archived data or backup tapes that would be unduly burdensome to search or restore.

27 9. UBH and UHC object to each and every Request, Definition, and Instruction to the
28 extent that it implicates the privacy interests of third parties established by law, contract, or custom.

1 This includes, but is not limited to, information covered by the Health Insurance Portability and
 2 Accountability Act, and in particular sensitive health information regarding the mental health and
 3 substance abuse conditions and treatments of participants and beneficiaries who are not named
 4 Plaintiffs in this case. To the extent any confidential health information is non-privileged and
 5 responsive to the Request and not otherwise objectionable, UBH and UHC will provide such
 6 documents and information pursuant to the Protective Order, and reserves the right to redact
 7 identifiers and other patient-specific information as well.

8 10. UBH and UHC object to each and every Request, Definition, and Instruction to the
 9 extent that it seeks documents outside of UBH's and UHC's possession, custody, and control,
 10 including to the extent any Requests seek information from a "United" entity other than UBH and
 11 UHC.

12 11. Nothing contained herein or provided in response to the Request consists of, or should
 13 be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence of any
 14 alleged facts or information referenced in any Request. By indicating that it will produce non-
 15 objectionable, non-privileged responsive documents, UBH and UHC does not make a representation
 16 that such documents exist or are in UBH's and UHC's possession, but only that UBH and UHC will
 17 conduct the reasonable searches indicated for the documents sought.

18 12. UBH and UHC object to each and every Request, Definition, and Instruction to the
 19 extent that it seeks documents outside of the relevant scope of discovery and statute of limitations for
 20 this case which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims.
 21 *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*,
 22 238 F.3d 1006, 1108 (9th Cir. 2001). In the event that UBH and UHC agree to produce responsive
 23 documents outside of the April 2, 2016 to present timeframe—the governing statute of limitations in
 24 this case—such agreement should be deemed limited to that specific Request and is not to be
 25 construed as a waiver or admission of any kind.

26 13. UBH and UHC object to each and every Request, Definition, and Instruction to the
 27 extent that it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and
 28 significant discovery costs and search burdens on UBH and UHC.

14. Inadvertent production or identification of documents or communications that are privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with respect to the disclosed documents or communications or any other documents or communications or of the right of UBH and UHC to object to the use of any such documents or the subject matter thereof during subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiffs will return the documents to UBH and UHC and will be precluded from disclosing or relying upon such documents in any way.

15. All the General Objections contained herein and Objections to Definitions and Instructions are expressly incorporated into each of the responses set forth below.

OBJECTIONS TO DEFINITIONS

1. UBH and UHC object to Plaintiffs' definition of "Defendants" on the ground that it is vague and ambiguous.

2. UBH and UHC object to Plaintiffs' definition of "person" on the ground that it is overly broad and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct persons and entities through this definition who are not proper parties to this case and not properly subject to discovery. UBH and UHC will respond to these Requests for Production of Documents on behalf of United Behavioral Health and UnitedHealthcare Insurance Company, which are the named defendants in this case.

3. UBH and UHC object to Plaintiffs' definition of "document(s)" to the extent that it seeks to impose obligations on UBH and UHC beyond those required by the Federal Rules. UBH and UHC further object to this definition to the extent it calls for production of electronic information that is not reasonably accessible, including any archived data or backup tapes that would be unduly burdensome to search or restore. UBH and UHC will use the definition of "documents" set out in Federal Rule 34.

OBJECTIONS TO INSTRUCTIONS

1. UBH and UHC object to Plaintiffs' Instruction 1 to the extent it seeks documents that are exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney

1 work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or
2 protection.

3 2. UBH and UHC object to Plaintiffs' Instruction 2 that Defendants "must make a
4 diligent search of your records and of other papers and materials in your possession or available to
5 you or your representatives" to the extent that this Instruction seeks to impose obligations on UBH
6 and UHC beyond those required by the Federal Rules. UBH and UHC further object to Instruction 2
7 to the extent it calls for the production of information outside of UBH's and UHC's possession,
8 custody, and control and includes documents that may already be in Plaintiffs' possession or are
9 available to Plaintiffs from another source that is more convenient, less burdensome, or less
10 expensive.

11 3. UBH and UHC object to Plaintiffs' Instruction 4 to the extent it requires Defendants to
12 "[i]dentify the portion to which you cannot respond; state the reason for your inability to respond to
13 it; and provide whatever materials you possess regarding that portion." Where UBH and UHC are
14 unable to fully respond to a request, UBH and UHC will state the reason for its inability to respond,
15 and otherwise reserve the right to meet and confer.

16 4. UBH and UHC object to Plaintiffs' Instruction 5 to the extent it purports to confer
17 obligations on UBH and UHC beyond what the Parties have agreed to in their ESI protocol.

18 5. UBH and UHC object to Plaintiffs' Instruction 6 to the extent that this Instruction
19 seeks to impose obligations on UBH and UHC beyond those required by the Federal Rules.

20 6. UBH and UHC object to Plaintiffs' Instruction 7 that "you should identify the relevant
21 Bates or reference number (or range of numbers) that corresponds" on the ground that such obligation
22 would be unduly burdensome given the broad scope and number of the requests.

23 7. UBH and UHC object to Instruction 8 that the "time period relevant to the allegations
24 in the Complaint" to the extent that this Instruction includes periods outside the relevant scope of
25 discovery and statute of limitations for this case which, unless otherwise noted in the specific
26 responses below, is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO
27 claims. *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*,
28 238 F.3d 1006, 1108 (9th Cir. 2001).

8. UBH and UHC object to Plaintiffs' Instruction 9 that each request be deemed "continuing in nature" on the ground that such obligation would be unduly burdensome given the broad scope and number of the requests.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST NO. 1:

Any and all documents relied upon by You in responding to Interrogatory 1 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 1:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings, as well as plans whose members did not have any of the claims at issue. UBH and UHC further object to this Request on the ground that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by" UBH and UHC which would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "employee welfare health benefit plans insured and/or administered by you" and "identify." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is

1 limited time left in which this information can be identified and produced before the close of
 2 discovery. UBH and UHC further object to this Request on the grounds that the referenced
 3 interrogatory exceeds the scope of the parties' agreed-upon claims and plan sample, which was
 4 negotiated many months ago. UBH and UHC also object to this Request to the extent that the
 5 referenced interrogatory seeks information which is subject to a claim of privilege or which is
 6 otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds
 7 that the referenced interrogatory seeks information outside the statute of limitations.

8 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 9 follows: No documents were relied upon in responding to Interrogatory No. 1.

10 **REQUEST NO. 2:**

11 Any and all documents relied upon by You in responding to Interrogatory 2 in Plaintiffs' first
 12 set of interrogatories served on You.

13 **RESPONSE TO REQUEST NO. 2:**

14 UBH and UHC hereby incorporate their General Objections in their entirety into this
 15 response. UBH and UHC further object to this Request on the ground that the referenced
 16 interrogatory seeks information about topics other than the reimbursement amount for out-of-network
 17 claims for intensive outpatient programs to treat substance abuse for which rates were calculated
 18 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
 19 offerings, as well as plans whose members did not have any of the claims at issue. UBH and UHC
 20 further object to this Request on the grounds that the referenced interrogatory is overly broad and
 21 unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all"
 22 plans of a certain category. In particular, Plaintiffs' request that UBH and UHC identify "all
 23 employee welfare health benefit plans insured and/or administered by" UBH and UHC involving
 24 particular plan language, which would require UBH and UHC to review thousands of client
 25 relationships and health plans individually, most of which are completely irrelevant to the allegations
 26 in this action. UBH and UHC further object to the extent the referenced interrogatory is suggesting
 27 that all of the listed phrases mean the same thing, or that they all require reimbursement based on
 28 provider charges, as opposed to competitive fees, amounts accepted, or other reimbursement

methodologies. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant’s OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms “employee welfare health benefit plans insured and/or administered by you” and “identify.” UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC further object to this Request on the grounds that the referenced interrogatory exceeds the scope of the parties’ agreed-upon claims sample, which was negotiated months ago. UBH and UHC further object to this Request as the referenced interrogatory seeks information contained in documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UBH000029 (Apple 2018 SPD); UBH000634 (Apple 2019 SPD); UHC000208108 (American Express 2015); UHC000208280 (American Express 2016); UHC000208650 (American Express 2017); UHC000208451 (American Express 2018); UHC000209937 (Cisco 2018); UHC000210186-10286 (Cisco 2019); UHC000210286-UHC000210594 (Cisco 2020); UHC000210594 to UHC000210857 (Cisco 2021); UHC000211462-UHC000212016 (Deloitte 2017); UHC000219215-UHC000220054, UHC000220220-UHC000221094 and UHC000221260-UHC000226409 (Discovery Inc 2016-2022); UHC000233907-UHC000237003 and UHC000237005-UHC000237621 (Goldman Sachs 2017-2021); UHC000239211-UHC000240136 and UHC000240149-UHC000246809 (Mastercard 2017-2021); UHC000250706-UHC000251255 and

UHC000252088-UHC000255728 (Nestle USA); UHC000255771-UHC000258818 (Paypal 2017-2022); UHC000261348-UHC000262193; UHC000262353-UHC000262522; UHC000262684-UHC000264034; UHC000264194-UHC000264363; UHC000264525-UHC000265875; UHC000266035-UHC000266208; UHC000266374-UHC000267238; UHC000267403-UHC000268089; UHC000268255-UHC000269632 (Salesforce 2021-2022); UHC000269797-UHC000269960; UHC000270674-UHC000271353; UHC000272100-UHC000272814; UHC000273510-UHC000274182; UHC000274527-UHC000274853; UHC000275196-UHC000275521; UHC000275900-UHC000276783 (Target 2018-2021); UHC000277823-UHC000278374; UHC000278547-UHC000279069; UHC000279242-UHC000279762; UHC000279933-UHC000280100; UHC000280271-UHC000282948 (Tesla 2018-2020); and UHC000288877-UHC000289793 (Viacom 2016).

REQUEST NO. 3:

Any and all documents relied upon by You in responding to Interrogatory 3 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 3:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by" UBH and UHC which would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that

1 did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds
 2 that the referenced interrogatory is vague and ambiguous as to the terms "employee welfare health
 3 benefit plans insured and/or administered by you" and "identify." UBH and UHC further object to
 4 this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or
 5 control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and
 6 UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories
 7 and now there is limited time left in which this information can be identified and produced before the
 8 close of discovery. UBH and UHC further object to this Request on the grounds that the referenced
 9 interrogatory exceeds the scope of the parties' agreed-upon claims sample, which was negotiated
 10 months ago. UBH and UHC further object to this Request as the referenced interrogatory seeks
 11 information contained in documents that have been produced in discovery, in searchable form, so
 12 therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify.
 13 UBH and UHC also object to this Request to the extent that it seeks information which is subject to a
 14 claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to
 15 this Request on the grounds that the referenced interrogatory seeks information outside the statute of
 16 limitations.

17 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 18 follows: UHC000083532 (Apple 2016), UHC000083873 (Apple 2017), UBH000029 (Apple 2018),
 19 UHC000247252 (Morgan Stanley 2016), UHC000251396 (Oracle 2016), and UHC000251357
 20 (American Express 2016). *See also* UHC000233632 (Georgia-Pacific 2019 SPD) (similar language
 21 section); UHC000215509 (Delta 2019 SPD) (similar language section).

22 **REQUEST NO. 4:**

23 Any and all documents relied upon by You in responding to Interrogatory 4 in Plaintiffs' first
 24 set of interrogatories served on You.

25 **RESPONSE TO REQUEST NO. 4:**

26 UBH and UHC hereby incorporate their General Objections in their entirety into this
 27 response. UBH and UHC further object to this Request on the ground that the referenced
 28 interrogatory seeks information about UBH and UHC hereby incorporate their General Objections in

1 their entirety into this response. UBH and UHC further object to this Request on the ground that the
2 referenced interrogatory seeks information about topics other than the reimbursement amount for out-
3 of-network claims for intensive outpatient programs to treat substance abuse for which rates were
4 calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its
5 program offerings. UBH and UHC further object to this Request on the grounds that the referenced
6 interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force
7 UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that
8 UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by"
9 UBH and UHC which would require UBH and UHC to review thousands of client relationships and
10 health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC
11 further object to this Request on the ground that the referenced interrogatory seeks information not
12 involving Plaintiffs or any putative class members to the extent it seeks information about plans that
13 did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds
14 that the referenced interrogatory is vague and ambiguous as to the terms "employee welfare health
15 benefit plans insured and/or administered by you" and "identify." UBH and UHC further object to
16 this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or
17 control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and
18 UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories
19 and now there is limited time left in which this information can be identified and produced before the
20 close of discovery. UBH and UHC further object to this Request on the grounds that the referenced
21 interrogatory exceeds the scope of the parties' agreed-upon claims sample, which was negotiated
22 months ago. UBH and UHC further object to this Request as the referenced interrogatory seeks
23 information contained in documents that have been produced in discovery, in searchable form, so
24 therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify.
25 UBH and UHC also object to this Request to the extent that it seeks information which is subject to a
26 claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to
27 this Request on the grounds that the referenced interrogatory seeks information outside the statute of
28 limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UBH000634 (Apple 2019 SPD); UHC000013594; UHC000208108 (American Express 2015); UHC000208280 (American Express 2016); UHC000208650 (American Express 2017); UHC000208451 (American Express 2018); Cisco 2018 UHC000209850-10095 (Cisco 2018); UHC000210186-10286 (Cisco 2019); UHC000210286-UHC000210594 (Cisco 2020); UHC000210594 to UHC000210857 (Cisco 2021); UHC000211462-UHC000212016 (Deloitte 2017); UHC000219215-UHC000220054, UHC000220220-UHC000221094 and UHC000221260-UHC000226409 (Discovery Inc 2016-2022); UHC000233907-UHC000237003 and UHC000237005-UHC000237621 (Goldman Sachs 2017-2021); UHC000239211-UHC000240136 and UHC000240149-UHC000246809 (Mastercard 2017-2021); UHC000250706-UHC000251255 and UHC000252088-UHC000255728 (Nestle USA); UHC000251537 (Oracle 2019 SPD); UHC000255771-UHC000258818 (Paypal 2017-2022); UHC000258978 (Raytheon 2016 SPD); UHC000261348-UHC000262193; UHC000262353-UHC000262522; UHC000262684-UHC000264034; UHC000264194-UHC000264363; UHC000264525-UHC000265875; UHC000266035-UHC000266208; UHC000266374-UHC000267238; UHC000267403-UHC000268089; UHC000268255-UHC000269632 (Salesforce 2021-2022); UHC000269797-UHC000269960; UHC000270674-UHC000271353; UHC000272100-UHC000272814; UHC000273510-UHC000274182; UHC000274527-UHC000274853; UHC000275196-UHC000275521; UHC000275900-UHC000276783 (Target 2018-2021); UHC000277823-UHC000278374; UHC000278547-UHC000279069; UHC000279242-UHC000279762; UHC000279933-UHC000280100; UHC000280271-UHC000282948 (Tesla 2018-2020); and UHC000288877-UHC000289793 (Viacom 2016).

REQUEST NO. 5:

Any and all documents relied upon by You in responding to Interrogatory 5 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 5:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced

interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all Persons" of a certain category to determine who may have been involved in drafting plan language for each one of potentially thousands of plans. In particular, Plaintiffs' Request would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. Moreover, each plan document is customized and varies from plan to plan, and most or all of the ASO plans (which account for most or all of the putative class) control their own plan design and language. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "Identify" and "Persons." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: No documents were relied upon in responding to Interrogatory No. 5.

REQUEST NO. 6:

Any and all documents relied upon by You in responding to Interrogatory 6 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 6:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "underwriting analyses," "considered," "conducted," "reviewed," and "implications." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UHC000089628, UHC000089886, UHC000199259, UHC000097146, UHC000097182, UHC000097224, UHC000097226, UHC000047103, UHC000047105, UHC000047109, UHC000017763, UHC000202919, UHC000185868, and UHC000096196.

REQUEST NO. 7:

Any and all documents relied upon by You in responding to Interrogatory 7 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 7:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "actuarial analyses," "considered," "conducted," "reviewed," and "implications." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UHC000089628, UHC000089886, UHC000199259, UHC000097146, UHC000097182, UHC000097224, UHC000097226, UHC000047103, UHC000047105, UHC000047109, UHC000017763, UHC000202919, UHC000185868, and UHC000096196.

REQUEST NO. 8:

Any and all documents relied upon by You in responding to Interrogatory 8 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 8:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all committees and committee members" of a certain category to determine who may have been involved in drafting plan language for each one of potentially thousands of plans. In particular, Plaintiffs' Request would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. Moreover, each plan document is customized and varies from plan to plan, and most or all of the ASO plans (which account for most or all of the putative class) control their own plan design and language. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "Identify" and "committees." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

1 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 2 follows: No documents were relied upon in responding to Interrogatory No. 8.

3 **REQUEST NO. 9:**

4 Any and all documents relied upon by You in responding to Interrogatory 9 in Plaintiffs' first
 5 set of interrogatories served on You.

6 **RESPONSE TO REQUEST NO. 9:**

7 UBH and UHC hereby incorporate their General Objections in their entirety into this
 8 response. UBH and UHC further object to this Request on the ground that the referenced
 9 interrogatory seeks information about topics other than the reimbursement amount for out-of-network
 10 claims for intensive outpatient programs to treat substance abuse for which rates were calculated
 11 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
 12 offerings. UBH and UHC further object to this Request on the grounds that the referenced
 13 interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force
 14 UHC and UBH to identify "processes and procedures" of a certain category to determine involved in
 15 drafting plan language for each one of potentially thousands of plans. In particular, Plaintiffs'
 16 Request would require UBH and UHC to review thousands of client relationships and health plans,
 17 most of which are completely irrelevant to the allegations in this action. Moreover, each plan
 18 document is customized and varies from plan to plan, and most or all of the ASO plans (which
 19 account for most or all of the putative class) control their own plan design and language. UBH and
 20 UHC further object to this Request on the ground that the referenced interrogatory seeks information
 21 not involving Plaintiffs or any putative class members to the extent it seeks information about plans
 22 that did not include Viant's OPR product. UBH and UHC further object to this Request on the
 23 grounds that the referenced interrogatory is vague and ambiguous as to the terms "Describe" and
 24 "processes." UBH and UHC further object to this Request to the extent it seeks information outside
 25 of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or
 26 third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited
 27 months to serve their first set of interrogatories and now there is limited time left in which this
 28 information can be identified and produced before the close of discovery. UBH and UHC also object

1 to this Request to the extent that it seeks information which is subject to a claim of privilege or which
 2 is otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds
 3 that the referenced interrogatory seeks information outside the statute of limitations.

4 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 5 follows: No documents were relied upon in responding to Interrogatory No. 9.

6 **REQUEST NO. 10:**

7 Any and all documents relied upon by You in responding to Interrogatory 10 in Plaintiffs'
 8 first set of interrogatories served on You.

9 **RESPONSE TO REQUEST NO. 10:**

10 UBH and UHC hereby incorporate their General Objections in their entirety into this
 11 response. UBH and UHC further object to this Request on the ground that the referenced
 12 interrogatory seeks information about topics other than the reimbursement amount for out-of-network
 13 claims for intensive outpatient programs to treat substance abuse for which rates were calculated
 14 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
 15 offerings. UBH and UHC further object to this Request on the grounds that the referenced
 16 interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force
 17 UHC and UBH to identify "all Persons" who had certain responsibilities for each one of potentially
 18 thousands of plans. UBH and UHC further object to this Request on the grounds that the referenced
 19 interrogatory is vague and ambiguous as to the terms "out of network savings" and "vendor
 20 programs." UBH and UHC further object to this Request to the extent it seeks information outside of
 21 UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third
 22 party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months
 23 to serve their first set of interrogatories and now there is limited time left in which this information
 24 can be identified and produced before the close of discovery. UBH and UHC also object to this
 25 Request to the extent that it seeks information which is subject to a claim of privilege or which is
 26 otherwise protected from disclosure, including but not limited to the attorney-client privilege, the
 27 attorney work-product doctrine, confidentiality agreements, or any other applicable privilege,
 28

1 doctrine, or protection. UBH and UHC further object to this Request on the grounds that the
2 referenced interrogatory seeks information outside the statute of limitations.

3 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
4 follows: No documents were relied upon in responding to Interrogatory No. 10.

5 **REQUEST NO. 11:**

6 Any and all documents relied upon by You in responding to Interrogatory 11 in Plaintiffs'
7 first set of interrogatories served on You.

8 **RESPONSE TO REQUEST NO. 11:**

9 UBH and UHC hereby incorporate their General Objections in their entirety into this
10 response. UBH and UHC further object to this Request on the ground that the referenced
11 interrogatory seeks information about topics other than the reimbursement amount for out-of-network
12 claims for intensive outpatient programs to treat substance abuse for which rates were calculated
13 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
14 offerings. UBH and UHC further object to this Request on the grounds that the referenced
15 interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force
16 UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that
17 UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by"
18 UBH and UHC which would require UBH and UHC to review thousands of client relationships and
19 health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC
20 further object to this Request on the ground that the referenced interrogatory seeks information not
21 involving Plaintiffs or any putative class members to the extent it seeks information about plans that
22 did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds
23 that the referenced interrogatory is vague and ambiguous as to the terms "employee welfare health
24 benefit plans insured and/or administered by you." UBH and UHC further object to this Request to
25 the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more
26 reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object
27 on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is
28 limited time left in which this information can be identified and produced before the close of

discovery. UBH and UHC further object to this Request as the referenced interrogatory seeks information contained in documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UHC000013594; UHC000208051-UHC000208063 (American Express ASA); UHC000208946 and UHC000209050 (American Express SPD 2021); UHC000209101 (Cisco ASA); UHC000210104 (2018 Cisco SPD), UHC000210297-98UHC209861 (2019 Cisco SPD); UHC000210349 (Cisco 2020 SPD); UHC000210608 (Cisco SPD 2021); UHC000211002 (Coca-Cola ASA); UHC000211239 (Deloitte ASA); UHC000211485 and UHC000211434 (Deloitte 2017 SPD); UHC000212127 (Delta ASA); UHC000214523-524 (Delta SPD); UHC000228001 (General Dynamics ASA); UHC000228268 (General Dynamics 2017 SPD) UHC000229433 (General Dynamics 2018 SPD); UHC000233919 (Goldman Sachs 2017 SPD); UHC000237752 (JP Morgan Chase ASA); UHC000246860 (Morgan Stanley ASA); UHC000248125 (Morgan Stanley 2018 SPD); UHC000248572 (Nestle SPD); UHC000258828 (Raytheon ASA); UHC000252422 (PayPal 2017 SPD); and UHC000263039 (Salesforce 2020 SPD); UHC000287082 (Union Pacific SPD 2018); UHC000288853 (Viacom 2018 ASA); UHC000293645 (VMWare 2019 SPD).

REQUEST NO. 12:

Any and all documents relied upon by You in responding to Interrogatory 12 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 12:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated

1 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
 2 offerings. UBH and UHC further object to this Request on the grounds that the referenced
 3 interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force
 4 UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that
 5 UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by"
 6 UBH and UHC which would require UBH and UHC to review thousands of client relationships and
 7 health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC
 8 further object to this Request on the ground that the referenced interrogatory seeks information not
 9 involving Plaintiffs or any putative class members to the extent it seeks information about plans that
 10 did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds
 11 that the referenced interrogatory is vague and ambiguous as to the terms "employee welfare health
 12 benefit plans insured and/or administered by you." UBH and UHC further object to this Request to
 13 the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more
 14 reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object
 15 on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is
 16 limited time left in which this information can be identified and produced before the close of
 17 discovery. UBH and UHC further object to this Request as the referenced interrogatory seeks
 18 information contained in documents that have been produced in discovery, in searchable form, so
 19 therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify.
 20 UBH and UHC also object to this Request to the extent that it seeks information which is subject to a
 21 claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to
 22 this Request on the grounds that the referenced interrogatory seeks information outside the statute of
 23 limitations. UBH and UHC further object to the extent this Request is duplicative of other Requests.

24 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 25 follows: No documents were relied upon in responding to Interrogatory No. 12.

26 **REQUEST NO. 13:**

27 Any and all documents relied upon by You in responding to Interrogatory 13 in Plaintiffs'
 28 first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 13:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by" UBH and UHC which would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that it is vague and ambiguous as to the terms "employee welfare health benefit plans insured and/or administered by you." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC further object to this Request as the referenced interrogatory seeks information contained in documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

1 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
2 follows: UHC000260999.

3 **REQUEST NO. 14:**

4 Any and all documents relied upon by You in responding to Interrogatory 14 in Plaintiffs'
5 first set of interrogatories served on You.

6 **RESPONSE TO REQUEST NO. 14:**

7 UBH and UHC hereby incorporate their General Objections in their entirety into this
8 response. UBH and UHC further object to this Request on the ground that the referenced
9 interrogatory seeks information about topics other than the reimbursement amount for out-of-network
10 claims for intensive outpatient programs to treat substance abuse for which rates were calculated
11 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
12 offerings. UBH and UHC further object to this Request on the ground that the referenced
13 interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it
14 seeks information about plans that did not include Viant's OPR product. UBH and UHC further
15 object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to
16 the terms "actuarial, underwriting, or other analyses," "considered," "conducted," "reviewed," and
17 "implications." UBH and UHC further object to this Request to the extent it seeks information
18 outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a
19 party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs
20 waited months to serve their first set of interrogatories and now there is limited time left in which this
21 information can be identified and produced before the close of discovery. UBH and UHC also object
22 to this Request to the extent that it seeks information which is subject to a claim of privilege or which
23 is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the
24 attorney work-product doctrine, confidentiality agreements, or any other applicable privilege,
25 doctrine, or protection. UBH and UHC further object to this Request on the grounds that the
26 referenced interrogatory seeks information outside the statute of limitations.

27 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
28 follows: UHC000089628, UHC000089886, UHC000199259, UHC000097146, UHC000097182,

UHC000097224, UHC000097226, UHC000047103, UHC000047105, UHC000047109,
UHC000017763, UHC000202919, UHC000185868, and UHC000096196.

REQUEST NO. 15:

Any and all documents relied upon by You in responding to Interrogatory 15 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 15:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to describe in detail "any and all actuarial, underwriting, or other analyses" for each one of potentially thousands of plans. In particular, Plaintiffs' Request would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "actuarial, underwriting, or other analyses," "considered," "conducted," "reviewed," and "implications," and "rates recommended by Viant to pay out-of-network benefits." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise

protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UHC000089628, UHC000089886, UHC000199259, UHC000097146, UHC000097182, UHC000097224, UHC000097226, UHC000047103, UHC000047105, UHC000047109, UHC000017763, UHC000202919, UHC000185868, and UHC000096196.

REQUEST NO. 16:

Any and all documents relied upon by You in responding to Interrogatory 16 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 16:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including any changes to percentiles that did not impact the claims at issue in this case (*e.g.*, changes to the percentiles for reimbursement of ambulatory surgical centers, which are not at issue in this case). UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "actuarial, underwriting, or other analyses," "considered," "conducted," "reviewed," and "implications." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC

also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UHC000205524-UHC000205528, and UHC000207874-UHC000207875.

REQUEST NO. 17:

Any and all documents relied upon by You in responding to Interrogatory 17 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 17:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "underwriting analyses," "considered," "conducted," "reviewed," and "implications." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney

work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby responds as follows: UHC000205524-UHC000205528, and UHC000207874-UHC000207875.

REQUEST NO. 18:

Any and all documents relied upon by You in responding to Interrogatory 18 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 18:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "actuarial analyses," "considered," "conducted," "reviewed," and "implications." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or

1 protection. UBH and UHC further object to this Request on the grounds that the referenced
 2 interrogatory seeks information outside the statute of limitations.

3 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 4 follows: UHC000205524-UHC000205528, and UHC000207874-UHC000207875.

5 **REQUEST NO. 19:**

6 Any and all documents relied upon by You in responding to Interrogatory 19 in Plaintiffs'
 7 first set of interrogatories served on You.

8 **RESPONSE TO REQUEST NO. 19:**

9 UBH and UHC hereby incorporate their General Objections in their entirety into this
 10 response. UBH and UHC further object to this Request on the ground that the referenced
 11 interrogatory seeks information about topics other than the reimbursement amount for out-of-network
 12 claims for intensive outpatient programs to treat substance abuse for which rates were calculated
 13 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
 14 offerings. UBH and UHC further object to this Request on the grounds that the referenced
 15 interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force
 16 UHC and UBH to "describe in detail." UBH and UHC further object to this Request on the grounds
 17 that the referenced interrogatory is vague and ambiguous as to the terms "describe," "detail," "cost,"
 18 and "processing," particularly to the extent this Request is asking for a generalized "cost" associated
 19 with "an out-of-network claim," when these costs can vary widely from claim to claim and based on
 20 various factors. UBH and UHC further object to this Request to the extent it seeks information
 21 outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a
 22 party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs
 23 waited months to serve their first set of interrogatories and now there is limited time left in which this
 24 information can be identified and produced before the close of discovery. UBH and UHC also object
 25 to this Request to the extent that it seeks information which is subject to a claim of privilege or which
 26 is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the
 27 attorney work-product doctrine, confidentiality agreements, or any other applicable privilege,
 28 doctrine, or protection.

1 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
2 follows: No documents were relied upon in responding to Interrogatory No. 19.

3 **REQUEST NO. 20:**

4 Any and all documents relied upon by You in responding to Interrogatory 20 in Plaintiffs'
5 first set of interrogatories served on You.

6 **RESPONSE TO REQUEST NO. 20:**

7 UBH and UHC hereby incorporate their General Objections in their entirety into this
8 response. UBH and UHC further object to this Request on the ground that the referenced
9 interrogatory seeks information about topics other than the reimbursement amount for out-of-network
10 claims for intensive outpatient programs to treat substance abuse for which rates were calculated
11 using Viant's OPR product, including plans that did not include Viant's OPR product in its program
12 offerings. UBH and UHC further object to this Request on the grounds that the referenced
13 interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force
14 UHC and UBH to "describe in detail." UBH and UHC further object to this Request on the grounds
15 that the referenced interrogatory is vague and ambiguous as to the terms "describe," "detail,"
16 "reference numbers," "verification of benefits," "authorization of benefits," "utilization review," and
17 "similar calls." UBH and UHC further object to this Request to the extent it seeks information
18 outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a
19 party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs
20 waited months to serve their first set of interrogatories and now there is limited time left in which this
21 information can be identified and produced before the close of discovery. UBH and UHC also object
22 to this Request to the extent that it seeks information which is subject to a claim of privilege or which
23 is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the
24 attorney work-product doctrine, confidentiality agreements, or any other applicable privilege,
25 doctrine, or protection.

26 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
27 follows: No documents were relied upon in responding to Interrogatory No. 20.

REQUEST NO. 21:

Any and all documents relied upon by You in responding to Interrogatory 21 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 21:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to "describe in detail." UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "describe," "detail," "steps," "actions," "United," and "agents" UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection.

Subject to and without waiving the foregoing objections, the United Defendants hereby respond as follows: PLTFIRSTPROD0000001, PLTFIRSTPROD0000447, PLTFIRSTPROD0000984, UHC000088195, and UHC000296557.

REQUEST NO. 22:

Any and all documents relied upon by You in responding to Interrogatory 22 in Plaintiffs' first set of interrogatories served on You.

RESPONSE TO REQUEST NO. 22:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "any studies, analysis, or projects" regarding plan language for each one of potentially thousands of plans. In particular, Plaintiffs' Request would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Request on the ground that the referenced interrogatory seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Request on the grounds that the referenced interrogatory is vague and ambiguous as to the terms "Describe" and "projects." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Request on the grounds that the referenced interrogatory seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: No documents were relied upon in responding to Interrogatory No. 22.

1 Dated: July 7, 2022

2 GIBSON, DUNN & CRUTCHER LLP

3
4 By: /s/ Geoffrey Sigler
5 Geoffrey Sigler (admitted *pro hac vice*)

6 Attorneys for Defendant
7 UNITED BEHAVIORAL HEALTH and UNITED
8 HEALTHCARE INSURANCE COMPANY
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CERTIFICATE OF SERVICE

I, hereby certify that on this 7th day of July 2022, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

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Aaron Richard Modiano (*pro hac vice*)
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/s/ Geoffrey Sigler

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11 Attorneys for Defendants
UNITED BEHAVIORAL HEALTH and
12 UNITED HEALTHCARE INSURANCE COMPANY

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 UNITED HEALTHCARE INSURANCE
20 COMPANY, a Connecticut Corporation,
UNITED BEHAVIORAL HEALTH, a
21 California Corporation, and MULTIPLAN
INC., a New York corporation,

22 Defendants.
23

CASE NO. 4:20-cv-02254

**DEFENDANTS UNITED BEHAVIORAL
HEALTH'S AND UNITED HEALTHCARE
INSURANCE COMPANY'S RESPONSES
AND OBJECTIONS TO PLAINTIFFS'
FIRST SET OF INTERROGATORIES**

24 PROPOUNDING PARTY: LD, DB, BW, RH and CJ

25 RESPONDING PARTY: UNITED BEHAVIORAL HEALTH and UNITED
26 HEALTHCARE INSURANCE COMPANY

27 SET NUMBER: One (1)
28

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendants United Behavioral Health (“UBH”) and United Healthcare Insurance Co. (“UHC”) (“United Defendants”) respond to Plaintiffs’ First Set of Interrogatories (the “Interrogatories” and each individual “Interrogatory”).

PRELIMINARY STATEMENT

1. UBH’s and UHC’s responses to the Interrogatories are made to the best of United Defendants’ current knowledge, information, and belief. United Defendants reserve the right to supplement or amend any of their responses should future investigation indicate that such supplementation or amendment is necessary.

2. UBH’s and UHC’s responses to the Interrogatories are made solely for the purpose of and in relation to this action. Each response is given subject to all appropriate objections (including, but not limited to, objections concerning privilege, competency, relevancy, materiality, propriety and admissibility). All objections are reserved and may be interposed at any time.

3. UBH’s and UHC’s responses are based on their understanding that Plaintiffs seek only information that is within United Defendants’ possession, custody, and control.

4. UBH’s and UHC incorporate by reference each and every general objection set forth into each and every specific response. From time to time, a specific response may repeat a general objection for emphasis or some other reason. The failure to include any general objection in any specific response shall not be interpreted as a waiver of any general objection to that response.

5. Nothing contained in these objections or provided in response to the Interrogatories consists of, or should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence of any alleged facts or information references in any Interrogatory.

GENERAL OBJECTIONS

1. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to the extent it purports to impose obligations on UBH and UHC greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United

1 States District Court for the Northern District of California (“Local Rules”), or the Parties’
2 anticipated ESI Protocol.

3 2. UBH and UHC object to each and every Interrogatory, Definition, and Instruction as
4 overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative
5 record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA,
6 and therefore discovery should generally be limited to the administrative record for the claims at
7 issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

8 3. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
9 the extent that it seeks information that is exempt from discovery and protected from disclosure by
10 the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any
11 other applicable privilege, doctrine, or protection.

12 4. UBH and UHC object to each and every Interrogatory, Definition, and Instruction as
13 overly broad to the extent it seeks information not relevant to the claims or defenses of any party, or
14 information disproportionate to the needs of the case and of such marginal relevance that its probative
15 value is substantially outweighed by the burden imposed on UBH and UHC in having to search for
16 and provide such information.

17 5. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
18 the extent that it seeks proprietary or other confidential information. To the extent any confidential
19 health information or other sensitive or protected business information is non-privileged and
20 responsive to these Interrogatories and not otherwise objectionable, UBH and UHC will provide such
21 information pursuant to the protections stipulated in the Parties’ protective order and in accordance
22 with such other procedures as the Parties or Court may establish to protect sensitive or confidential
23 information. UBH and UHC also reserve the right to redact discrete categories of especially sensitive
24 information that are not directly relevant to the issues in this case.

25 6. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
26 the extent that the information requested is already in Plaintiffs’ possession or are available to
27 Plaintiffs from another source that is more convenient, less burdensome, or less expensive.
28

1 7. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
2 the extent it calls for information, the retrieval of which would be unduly burdensome.

3 8. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
4 the extent it calls for production of electronic information that is not reasonably accessible, including
5 any archived data or backup tapes that would be unduly burdensome to search or restore.

6 9. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
7 the extent that it implicates the privacy interests of third parties established by law, contract, or
8 custom. This includes, but is not limited to, information covered by the Health Insurance Portability
9 and Accountability Act, and in particular sensitive health information regarding the mental health and
10 substance abuse conditions and treatments of participants and beneficiaries who are not named
11 Plaintiffs in this case. To the extent any confidential health information is non-privileged and
12 responsive to the Interrogatory and not otherwise objectionable, UBH and UHC will provide such
13 information pursuant to the Protective Order, and reserves the right to redact identifiers and other
14 patient-specific information as well.

15 10. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
16 the extent that it seeks information outside of UBH's and UHC's possession, custody, and control,
17 including to the extent any Requests seek information from a "United" entity other than UBH and
18 UHC.

19 11. Nothing contained herein or provided in response to the Interrogatory consists of, or
20 should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence
21 of any alleged facts or information referenced in any Interrogatory. By indicating that it will produce
22 non-objectionable, non-privileged responses, UBH and UHC do not make a representation that such
23 information exists or are in UBH's and UHC's possession, but only that UBH and UHC will conduct
24 the reasonable searches indicated for the information sought.

25 12. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
26 the extent that it seeks information outside of the relevant scope of discovery and statute of
27 limitations for this case which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs'
28 RICO claims. *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v.*

1 *Andrews*, 238 F.3d 1006, 1108 (9th Cir. 2001). In the event that UBH and UHC agree to produce
 2 responses outside of the April 2, 2016 to present timeframe—the governing statute of limitations in
 3 this case—such agreement should be deemed limited to that specific Interrogatory and is not to be
 4 construed as a waiver or admission of any kind.

5 13. UBH and UHC object to each and every Interrogatory, Definition, and Instruction to
 6 the extent that it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and
 7 significant discovery costs and search burdens on UBH and UHC.

8 14. Inadvertent production or identification of documents or communications that are
 9 privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with
 10 respect to the disclosed documents or communications or any other documents or communications or
 11 of the right of UBH and UHC to object to the use of any such documents or the subject matter thereof
 12 during subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiffs
 13 will return the documents to UBH and UHC and will be precluded from disclosing or relying upon
 14 such documents in any way.

15 15. All the General Objections contained herein and Objections to Definitions and
 16 Instructions are expressly incorporated into each of the responses set forth below.

17 **SPECIFIC OBJECTIONS AND RESPONSES TO INTERROGATORIES**

18 **INTERROGATORY NO. 1:**

19 Identify all employee welfare health benefit plans insured and/or administered by You, by
 20 plan sponsor and plan year, indicating whether the plan is Administrative Services Only (“ASO”) or
 21 Fully Insured (“FI”) in force from January 1, 2015 to present.

22 **RESPONSE TO INTERROGATORY NO. 1:**

23 UBH and UHC hereby incorporate their General Objections in their entirety into this
 24 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 25 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 26 programs to treat substance abuse for which rates were calculated using Viant’s OPR product,
 27 including plans that did not include Viant’s OPR product in its program offerings, as well as plans
 28 whose members did not have any of the claims at issue. UBH and UHC further object to this

Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify “all” plans of a certain category. In particular, Plaintiffs’ request that UBH and UHC identify “all employee welfare health benefit plans insured and/or administered by” UBH and UHC which would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant’s OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms “employee welfare health benefit plans insured and/or administered by you” and “identify.” UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC further object to this Interrogatory on the grounds that it exceeds the scope of the parties’ agreed-upon claims and plan sample, which was negotiated many months ago. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH and UHC will produce to Plaintiffs a supplemental claims data production, consistent with previously-discussed parameters designed to capture putative class claims (see letters dated November 29, 2021, December 20, 2021, and June 1, 2022), that will include fields identifying the plan corresponding to each claim line and state whether the plan is “ASO” (*i.e.*, self-funded”) or fully insured.

INTERROGATORY NO. 2:

Identify all employee welfare health benefit plans insured and/or administered by You, by plan sponsor and plan year, from January 1, 2015 to present that state that out-of-network benefits are

1 paid based on a percentage of usual, customary, and reasonable (“UCR”) rates or amounts,
 2 reasonable and customary amounts, the prevailing rate, or other similar terms that base the rate of
 3 payment on what other healthcare providers in a geographic area charge for their services.

4 **RESPONSE TO INTERROGATORY NO. 2:**

5 UBH and UHC hereby incorporate their General Objections in their entirety into this
 6 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 7 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 8 programs to treat substance abuse for which rates were calculated using Viant’s OPR product,
 9 including plans that did not include Viant’s OPR product in its program offerings, as well as plans
 10 whose members did not have any of the claims at issue. UBH and UHC further object to this
 11 Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent
 12 that it seeks to force UHC and UBH to identify “all” plans of a certain category. In particular,
 13 Plaintiffs’ request that UBH and UHC identify “all employee welfare health benefit plans insured
 14 and/or administered by” UBH and UHC involving particular plan language, which would require
 15 UBH and UHC to review thousands of client relationships and health plans individually, most of
 16 which are completely irrelevant to the allegations in this action. UBH and UHC further object to the
 17 extent this Interrogatory is suggesting that all of the listed phrases mean the same thing, or that they
 18 all require reimbursement based on provider charges, as opposed to competitive fees, amounts
 19 accepted, or other reimbursement methodologies. UBH and UHC further object to this Interrogatory
 20 on the ground that it seeks information not involving Plaintiffs or any putative class members to the
 21 extent it seeks information about plans that did not include Viant’s OPR product. UBH and UHC
 22 further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms
 23 “employee welfare health benefit plans insured and/or administered by you” and “identify.” UBH
 24 and UHC further object to this Request to the extent it seeks information outside of UBH’s or UHC’s
 25 possession, custody, or control, or more reasonably obtained from a party or third party other than
 26 UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their
 27 first set of interrogatories and now there is limited time left in which this information can be
 28 identified and produced before the close of discovery. UBH and UHC further object to this

Interrogatory on the grounds that it exceeds the scope of the parties' agreed-upon claims sample, which was negotiated months ago. UBH and UHC further object to this Interrogatory as seeking information contained in documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations. UBH and UHC further object to the extent this Interrogatory is duplicative of other Interrogatories, including Interrogatory No. 1.

Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH and UHC will produce to Plaintiffs a supplemental claims data production, consistent with previously-discussed parameters designed to capture putative class claims (see letters dated November 29, 2021, December 20, 2021, and June 1, 2022), that will include fields identifying the plan corresponding to each claim line. UBH and UHC also refer Plaintiffs to the plan documents produced by UHC in response to Plaintiffs' previous requests and the parties' negotiated parameters for a claims sample. Although the terms of these plans vary widely and they do not all use the words and phrases listed in this Interrogatory, these plans correspond to one or more putative class claims in the claim data production discussed in response to Interrogatory No. 1 (which generally were reimbursed based on Viant OPR's charge-based data and/or fee negotiations). *See* UBH000029 (Apple 2018 SPD); UBH000634 (Apple 2019 SPD); UHC000208108 (American Express 2015); UHC000208280 (American Express 2016); UHC000208650 (American Express 2017); UHC000208451 (American Express 2018); UHC000209937 (Cisco 2018); UHC000210186-10286 (Cisco 2019); UHC000210286-UHC000210594 (Cisco 2020); UHC000210594 to UHC000210857 (Cisco 2021); UHC000211462-UHC000212016 (Deloitte 2017); UHC000219215-UHC000220054, UHC000220220-UHC000221094 and UHC000221260-UHC000226409 (Discovery Inc. 2016-2022) UHC000233907-UHC000237003 and UHC000237005-UHC000237621 (Goldman Sachs 2017-2021); UHC000239211-UHC000240136 and UHC000240149-UHC000246809 (Mastercard 2017-2021); UHC000250706-UHC000251255 and UHC000252088-UHC000255728 (Nestle USA);

UHC000255771-UHC000258818 (Paypal 2017-2022); UHC000261348-UHC000262193;
 UHC000262353-UHC000262522; UHC000262684-UHC000264034; UHC000264194-
 UHC000264363; UHC000264525-UHC000265875; UHC000266035-UHC000266208;
 UHC000266374-UHC000267238; UHC000267403-UHC000268089; UHC000268255-
 UHC000269632 (Salesforce 2021-2022); UHC000269797-UHC000269960; UHC000270674-
 UHC000271353; UHC000272100-UHC000272814; UHC000273510-UHC000274182;
 UHC000274527-UHC000274853; UHC000275196-UHC000275521; UHC000275900-
 UHC000276783 (Target 2018-2021); UHC000277823-UHC000278374; UHC000278547-
 UHC000279069; UHC000279242-UHC000279762; UHC000279933-UHC000280100;
 UHC000280271-UHC000282948 (Tesla 2018-2020); UHC000288877-UHC000289793 (Viacom
 2016).

The foregoing list identifies examples of documents produced in the case based on
 previously-discussed parameters memorialized in the above correspondence. However, the above list
 is not intended to be exhaustive, because each plan contains its own out-of-network reimbursement
 provision, these provisions differ from plan to plan, and in many cases they changed over time even
 for the same plan. Accordingly, it would not be possible to list all provisions for all plans here.
 Additionally, the United Defendants' productions of plan documents are ongoing, and Plaintiffs
 should also refer to the out-of-network provisions contained in additional plan documents that will be
 produced over the next several weeks.

INTERROGATORY NO. 3:

Identify all employee welfare health benefit plans insured and/or administered by You, by
 plan sponsor and plan year, from January 1, 2015 to present, that contain the following language:
 "UCR stands for the usual, customary, and reasonable rates for health care services provided in your
 geographic region."

RESPONSE TO INTERROGATORY NO. 3:

UBH and UHC hereby incorporate their General Objections in their entirety into this
 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient

1 programs to treat substance abuse for which rates were calculated using Viant's OPR product,
 2 including plans that did not include Viant's OPR product in its program offerings. UBH and UHC
 3 further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome,
 4 including to the extent that it seeks to force UHC and UBH to identify "all" plans of a certain
 5 category. In particular, Plaintiffs' request that UBH and UHC identify "all employee welfare health
 6 benefit plans insured and/or administered by" UBH and UHC which would require UBH and UHC to
 7 review thousands of client relationships and health plans, most of which are completely irrelevant to
 8 the allegations in this action. UBH and UHC further object to this Interrogatory on the ground that it
 9 seeks information not involving Plaintiffs or any putative class members to the extent it seeks
 10 information about plans that did not include Viant's OPR product. UBH and UHC further object to
 11 this Interrogatory on the grounds that it is vague and ambiguous as to the terms "employee welfare
 12 health benefit plans insured and/or administered by you" and "identify." UBH and UHC further
 13 object to this Request to the extent it seeks information outside of UBH's or UHC's possession,
 14 custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC.
 15 UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of
 16 interrogatories and now there is limited time left in which this information can be identified and
 17 produced before the close of discovery. UBH and UHC further object to this Interrogatory on the
 18 grounds that it exceeds the scope of the parties' agreed-upon claims sample, which was negotiated
 19 months ago. UBH and UHC further object to this Interrogatory as seeking information contained in
 20 documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can
 21 search for and identify any specific words and phrases they wish to identify. UBH and UHC also
 22 object to this Interrogatory to the extent that it seeks information which is subject to a claim of
 23 privilege or which is otherwise protected from disclosure. UBH and UHC further object to this
 24 Interrogatory on the grounds that it seeks information outside the statute of limitations. UBH and
 25 UHC further object to the extent this Interrogatory is duplicative of other Interrogatories, including
 26 Interrogatories Nos. 1-2.

27 Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH
 28 and UHC refer Plaintiffs to the following plans produced in connection with the parties' negotiated

1 samples. *See* UHC000083532 (Apple 2016), UHC000083873 (Apple 2017) and UBH000029
 2 (Apple 2018). Additionally, although the following plans vary and do not contain the specific
 3 language used in this Interrogatory, because they define UCR using some of the same words and
 4 phrases, the United Defendants also refer Plaintiffs to the following: UHC000247252 (Morgan
 5 Stanley 2016), UHC000251396 (Oracle 2016), and UHC000251357 (American Express 2016). *See*
 6 *also* UHC000233632 (Georgia-Pacific 2019 SPD) (similar language section); UHC000215509 (Delta
 7 2019 SPD) (similar language section).

8 The foregoing list identifies examples of documents produced in the case based on
 9 previously-discussed parameters memorialized in the above correspondence. However, the above list
 10 is not intended to be exhaustive, because each plan contains its own out-of-network reimbursement
 11 provision, these provisions differ from plan to plan, and in many cases they changed over time even
 12 for the same plan. Accordingly, it would not be possible to list all provisions for all plans here.
 13 Additionally, the United Defendants' productions of plan documents are ongoing, and Plaintiffs
 14 should also refer to the out-of-network provisions contained in additional plan documents that will be
 15 produced over the next several weeks.

16 **INTERROGATORY NO. 4:**

17 Identify all employee welfare health benefit plans insured and/or administered by You, by
 18 plan sponsor and plan year, from January 1, 2015 to present, that contain the following language:
 19 "For Covered Health Services other than Pharmaceutical Products, Eligible Expenses are determined
 20 based on available data resources of competitive fees in that geographic area."

21 **RESPONSE TO INTERROGATORY NO. 4:**

22 UBH and UHC hereby incorporate their General Objections in their entirety into this
 23 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 24 about UBH and UHC hereby incorporate their General Objections in their entirety into this response.
 25 UBH and UHC further object to this Interrogatory on the ground that it seeks information about
 26 topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 27 programs to treat substance abuse for which rates were calculated using Viant's OPR product,
 28 including plans that did not include Viant's OPR product in its program offerings. UBH and UHC

1 further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome,
 2 including to the extent that it seeks to force UHC and UBH to identify “all” plans of a certain
 3 category. In particular, Plaintiffs’ request that UBH and UHC identify “all employee welfare health
 4 benefit plans insured and/or administered by” UBH and UHC which would require UBH and UHC to
 5 review thousands of client relationships and health plans, most of which are completely irrelevant to
 6 the allegations in this action. UBH and UHC further object to this Interrogatory on the ground that it
 7 seeks information not involving Plaintiffs or any putative class members to the extent it seeks
 8 information about plans that did not include Viant’s OPR product. UBH and UHC further object to
 9 this Interrogatory on the grounds that it is vague and ambiguous as to the terms “employee welfare
 10 health benefit plans insured and/or administered by you” and “identify.” UBH and UHC further
 11 object to this Request to the extent it seeks information outside of UBH’s or UHC’s possession,
 12 custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC.
 13 UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of
 14 interrogatories and now there is limited time left in which this information can be identified and
 15 produced before the close of discovery. UBH and UHC further object to this Interrogatory on the
 16 grounds that it exceeds the scope of the parties’ agreed-upon claims sample, which was negotiated
 17 months ago. UBH and UHC further object to this Interrogatory as seeking information contained in
 18 documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can
 19 search for and identify any specific words and phrases they wish to identify. UBH and UHC also
 20 object to this Interrogatory to the extent that it seeks information which is subject to a claim of
 21 privilege or which is otherwise protected from disclosure. UBH and UHC further object to this
 22 Interrogatory on the grounds that it seeks information outside the statute of limitations. UBH and
 23 UHC further object to the extent this Interrogatory is duplicative of other Interrogatories, including
 24 Interrogatory No. 1.

25 Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH
 26 and UHC hereby refer Plaintiffs to the following plans produced in connection with the parties’
 27 negotiated samples: UBH000634 (Apple 2019 SPD); UHC000013594; UHC000208108 (American
 28 Express 2015); UHC000208280 (American Express 2016); UHC000208650 (American Express

2017); UHC000208451 (American Express 2018); Cisco 2018 UHC000209850-10095 (Cisco 2018);
 UHC000210186-10286 (Cisco 2019); UHC000210286-UHC000210594 (Cisco 2020);
 UHC000210594 to UHC000210857 (Cisco 2021); UHC000211462-UHC000212016 (Deloitte 2017);
 UHC000219215-UHC000220054, UHC000220220-UHC000221094 and UHC000221260-
 UHC000226409 (Discovery Inc 2016-2022); UHC000233907-UHC000237003 and UHC000237005-
 UHC000237621 (Goldman Sachs 2017-2021); UHC000239211-UHC000240136 and
 UHC000240149-UHC000246809 (Mastercard 2017-2021); UHC000250706-UHC000251255 and
 UHC000252088-UHC000255728 (Nestle USA); UHC000251537 (Oracle 2019 SPD)
 UHC000255771-UHC000258818 (Paypal 2017-2022); UHC000258978 (Raytheon 2016 SPD);
 UHC000261348-UHC000262193; UHC000262353-UHC000262522; UHC000262684-
 UHC000264034; UHC000264194-UHC000264363; UHC000264525-UHC000265875;
 UHC000266035-UHC000266208; UHC000266374-UHC000267238; UHC000267403-
 UHC000268089; UHC000268255-UHC000269632 (Salesforce 2021-2022); UHC000269797-
 UHC000269960; UHC000270674-UHC000271353; UHC000272100-UHC000272814;
 UHC000273510-UHC000274182; UHC000274527-UHC000274853; UHC000275196-
 UHC000275521; UHC000275900-UHC000276783 (Target 2018-2021); UHC000277823-
 UHC000278374; UHC000278547-UHC000279069; UHC000279242-UHC000279762;
 UHC000279933-UHC000280100; UHC000280271-UHC000282948 (Tesla 2018-2020);
 UHC000288877-UHC000289793 (Viacom 2016).

The foregoing list identifies examples of documents produced in the case based on
 previously-discussed parameters memorialized in the above correspondence. However, the above list
 is not intended to be exhaustive, because each plan contains its own out-of-network reimbursement
 provision, these provisions differ from plan to plan, and in many cases they changed over time even
 for the same plan. Accordingly, it would not be possible to list all provisions for all plans here.
 Additionally, the United Defendants' productions of plan documents are ongoing, and Plaintiffs
 should also refer to the out-of-network provisions contained in additional plan documents that will be
 produced over the next several weeks.

INTERROGATORY NO. 5:

Identify all Persons involved in drafting the plan language quoted in Interrogatory No. 4.

RESPONSE TO INTERROGATORY NO. 5:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all Persons" of a certain category to determine who may have been involved in drafting plan language for each one of potentially thousands of plans. In particular, Plaintiffs' Interrogatory would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. Moreover, each plan document is customized and varies from plan to plan, and most or all of the ASO plans (which account for most or all of the putative class) control their own plan design and language. UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms "Identify" and "Persons." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations.

1 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 2 follows: for most plans, plan design and language are controlled by the third party ASO plan
 3 sponsor, as reflected in the administrative services contracts produced as part of the plan samples
 4 discussed above (*see, e.g.*, UHC000296542), though they will sometimes receive recommendations
 5 or input from UHC personnel. The specific personnel involved will vary from plan to plan and based
 6 on the period at issue, but could include account personnel (which vary from plan to plan), various
 7 UHC in-house counsel and regulatory affairs personnel, the out-of-network programs group (which
 8 reports to Becky Paradise) insofar as the language involves these programs, and potentially others as
 9 well.

10 **INTERROGATORY NO. 6:**

11 Describe in detail the results of any and all underwriting analyses You conducted, considered,
 12 and/or reviewed regarding the implications of using the plan language quoted in Interrogatory No. 4
 13 in employee welfare health benefit plans insured and/or administered by You.

14 **RESPONSE TO INTERROGATORY NO. 6:**

15 UBH and UHC hereby incorporate their General Objections in their entirety into this
 16 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 17 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 18 programs to treat substance abuse for which rates were calculated using Viant's OPR product,
 19 including plans that did not include Viant's OPR product in its program offerings. UBH and UHC
 20 further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or
 21 any putative class members to the extent it seeks information about plans that did not include Viant's
 22 OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and
 23 ambiguous as to the terms "underwriting analyses," "considered," "conducted," "reviewed," and
 24 "implications." UBH and UHC further object to this Request to the extent it seeks information
 25 outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a
 26 party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs
 27 waited months to serve their first set of interrogatories and now there is limited time left in which this
 28 information can be identified and produced before the close of discovery. UBH and UHC also object

1 to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or
 2 which is otherwise protected from disclosure, including but not limited to the attorney-client
 3 privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable
 4 privilege, doctrine, or protection. UBH and UHC further object to this Interrogatory on the grounds
 5 that it seeks information outside the statute of limitations.

6 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 7 follows: based on a reasonable, good faith search using the parties' negotiated ESI parameters, no
 8 responsive underwriting analyses have been identified. Although not precisely the type of analysis
 9 sought through this request, various cost analyses of the Facility R&C program can be found in
 10 UHC's document productions; by way of example only, *see* UHC000089628, UHC000089886,
 11 UHC000199259, UHC000097146, UHC000097182, UHC000097224, UHC000097226,
 12 UHC000047103, UHC000047105, UHC000047109, UHC000017763, UHC000202919,
 13 UHC000185868, and UHC000096196.

14 **INTERROGATORY NO. 7:**

15 Describe in detail the results of any and all actuarial analyses You conducted, considered,
 16 and/or reviewed regarding the implications of using the plan language quoted in Interrogatory No. 4
 17 in employee welfare health benefit plans insured and/or administered by You.

18 **RESPONSE TO INTERROGATORY NO. 7:**

19 UBH and UHC hereby incorporate their General Objections in their entirety into this
 20 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 21 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 22 programs to treat substance abuse for which rates were calculated using Viant's OPR product,
 23 including plans that did not include Viant's OPR product in its program offerings. UBH and UHC
 24 further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or
 25 any putative class members to the extent it seeks information about plans that did not include Viant's
 26 OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and
 27 ambiguous as to the terms "actuarial analyses," "considered," "conducted," "reviewed," and
 28 "implications." UBH and UHC further object to this Request to the extent it seeks information

outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations. UBH and UHC further object to this Interrogatory to the extent it is duplicative of other Interrogatories, including Interrogatory No. 6.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: based on a reasonable, good faith search using the parties' negotiated ESI parameters, no responsive actuarial analyses have been identified. Although not precisely the type of analysis sought through this request, other cost analyses of the Facility R&C program can be found in the productions, including UHC000089628, UHC000089886, UHC000199259, UHC000097146, UHC000097182, UHC000097224, UHC000097226, UHC000047103, UHC000047105, UHC000047109, UHC000017763, UHC000202919, UHC000185868, and UHC000096196.

INTERROGATORY NO. 8:

Identify any and all committees and committee members, including their position, role, and title, at United responsible for proposing, evaluating and/or approving changes to employee welfare health benefit plan language regarding payment of out-of-network benefits from January 1, 2015 to present.

RESPONSE TO INTERROGATORY NO. 8:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC

1 further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome,
 2 including to the extent that it seeks to force UHC and UBH to identify “all committees and committee
 3 members” of a certain category to determine who may have been involved in drafting plan language
 4 for each one of potentially thousands of plans. In particular, Plaintiffs’ Interrogatory would require
 5 UBH and UHC to review thousands of client relationships and health plans, most of which are
 6 completely irrelevant to the allegations in this action. Moreover, each plan document is customized
 7 and varies from plan to plan, and most or all of the ASO plans (which account for most or all of the
 8 putative class) control their own plan design and language. UBH and UHC further object to this
 9 Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class
 10 members to the extent it seeks information about plans that did not include Viant’s OPR product.
 11 UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as
 12 to the terms “Identify” and “committees.” UBH and UHC further object to this Request to the extent
 13 it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably
 14 obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis
 15 that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time
 16 left in which this information can be identified and produced before the close of discovery. UBH and
 17 UHC also object to this Interrogatory to the extent that it seeks information which is subject to a
 18 claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to
 19 this Interrogatory on the grounds that it seeks information outside the statute of limitations. UBH and
 20 UHC further object to the extent this Interrogatory is duplicative of other Interrogatories, including
 21 Interrogatory No. 1.

22 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 23 follows: for most plans, plan design and language are controlled by the third party ASO plan
 24 sponsor, as reflected in the administrative services contracts produced as part of the plan samples
 25 discussed above (*see, e.g.*, UHC000296542), though they will sometimes receive recommendations
 26 or input from UHC personnel. The specific personnel involved will vary from plan to plan and based
 27 on the period at issue, but could include account personnel (which vary from plan to plan), various
 28 UHC in-house counsel and regulatory affairs personnel, the out-of-network programs group (which

reports to Becky Paradise) insofar as the language involves these programs, and potentially others as well.

INTERROGATORY NO. 9:

Describe in detail Your processes and procedures from January 1, 2015 to present for proposing, drafting, evaluating and/or approving changes to employee welfare health benefit plan language regarding payment of out-of-network benefits.

RESPONSE TO INTERROGATORY NO. 9:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to describe "processes and procedures" of a certain category involved in drafting plan language for each one of potentially thousands of plans. In particular, Plaintiffs' Interrogatory would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. Moreover, each plan document is customized and varies from plan to plan, and most or all of the ASO plans (which account for most or all of the putative class) control their own plan design and language. UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms "describe" and "procedures." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this

Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: for most plans, plan design and language are controlled by the third party ASO plan sponsor, as reflected in the administrative services contracts produced as part of the plan samples discussed above (*see, e.g.*, UHC000296542), though they will sometimes receive recommendations or input from UHC personnel. For the minority of plans that are fully-insured and regulated by state insurance laws, UHC also needs to prepare filings and receive approval from state regulators, and this process varies from state to state. The specific personnel involved and process will vary from plan to plan and based on the period at issue, but could include account personnel, various UHC in-house counsel and regulatory affairs personnel, the out-of-network programs group (which reports to Becky Paradise) insofar as the language involves these programs, and potentially others as well.

INTERROGATORY NO. 10:

Identify all Persons at United involved in designing and/or implementing out of network savings and vendor programs.

RESPONSE TO INTERROGATORY NO. 10:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all Persons" who had certain responsibilities for each one of potentially thousands of plans. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms "out of network savings" and "vendor programs." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained

1 from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that
 2 Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in
 3 which this information can be identified and produced before the close of discovery. UBH and UHC
 4 also object to this Interrogatory to the extent that it seeks information which is subject to a claim of
 5 privilege or which is otherwise protected from disclosure, including but not limited to the attorney-
 6 client privilege, the attorney work-product doctrine, confidentiality agreements, or any other
 7 applicable privilege, doctrine, or protection. UBH and UHC further object to this Interrogatory on
 8 the grounds that it seeks information outside the statute of limitations.

9 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 10 follows: Various members of the out-of-network program group had some role in designing or
 11 implementing the Facility R&C program, including Viant OPR, including Rebecca Paradise, Jolene
 12 Bradley, Radames Lopez, John Haben, and Sarah Peterson. In addition, the OON programs group
 13 consults with other impacted groups depending on the change to the program to discuss proposed
 14 changes. Consistent with Rule 33(d), Defendants further refer Plaintiffs to UHC's document
 15 productions, which identify these and other persons involved in these programs and show each
 16 individual's involvement in particular projects or functions related to the Facility R&C program.

17 **INTERROGATORY NO. 11:**

18 Identify all employee welfare health benefit plans insured and/or administered by You, by
 19 plan sponsor and plan year, in force from January 1, 2015 to present that contain language granting
 20 discretionary authority to United.

21 **RESPONSE TO INTERROGATORY NO. 11:**

22 UBH and UHC hereby incorporate their General Objections in their entirety into this
 23 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 24 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 25 programs to treat substance abuse for which rates were calculated using Viant's OPR product,
 26 including plans that did not include Viant's OPR product in its program offerings. UBH and UHC
 27 further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome,
 28 including to the extent that it seeks to force UHC and UBH to identify "all" plans of a certain

category. In particular, Plaintiffs' request that UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by" UBH and UHC which would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms "employee welfare health benefit plans insured and/or administered by you." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC further object to this Interrogatory as seeking information contained in documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH and UHC refer Plaintiffs to the following plan documents produced in connection with the parties' negotiated samples. UHC000013594; UHC000208051-UHC000208063 (American Express ASA); UHC000208946 and UHC000209050 (American Express SPD 2021); UHC000209101 (Cisco ASA); UHC000210104 (2018 Cisco SPD), UHC000210297-98UHC209861 (2019 Cisco SPD); UHC000210349 (Cisco 2020 SPD); UHC000210608 (Cisco SPD 2021); UHC000211002 (Coca-Cola ASA); UHC000211239 (Deloitte ASA); UHC000211485 and UHC000211434 (Deloitte 2017 SPD); UHC000212127 (Delta ASA); UHC000214523-524 (Delta SPD); UHC000228001 (General Dynamics ASA); UHC000228268 (General Dynamics 2017 SPD) UHC000229433 (General Dynamics 2018 SPD); UHC000233919 (Goldman Sachs 2017 SPD); UHC000237752 (JP Morgan

Chase ASA); UHC000246860 (Morgan Stanley ASA); UHC000248125 (Morgan Stanley 2018 SPD); UHC000248572 (Nestle SPD); UHC000258828 (Raytheon ASA); UHC000252422 (PayPal 2017 SPD); UHC000263039 (Salesforce 2020 SPD); UHC000287082 (Union Pacific SPD 2018); UHC000288853 (Viacom 2018 ASA); UHC000293645 (VMWare 2019 SPD).

The foregoing list identifies examples of documents produced in the case based on previously-discussed parameters memorialized in the above correspondence. However, the above list is not intended to be exhaustive, because each plan contains its own discretion-granting provisions, these provisions differ from plan to plan, and in many cases they changed over time even for the same plan. Accordingly, it would not be possible to list all provisions for all plans here.

Additionally, the United Defendants' productions of plan documents are ongoing, and Plaintiffs should also refer to the discretion-granting provisions contained in additional plan documents that will be produced over the next several weeks. As a general matter, most or all ASO plans should contain discretion-granting provisions, though not all fully-insured plans contain such language.

INTERROGATORY NO. 12:

Identify all employee welfare health benefit plans insured and/or administered by You, by plan sponsor and plan year, in force from January 1, 2015 to present that do not contain language granting discretionary authority to United.

RESPONSE TO INTERROGATORY NO. 12:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by" UBH and UHC which would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to

1 the allegations in this action. UBH and UHC further object to this Interrogatory on the ground that it
2 seeks information not involving Plaintiffs or any putative class members to the extent it seeks
3 information about plans that did not include Viant's OPR product. UBH and UHC further object to
4 this Interrogatory on the grounds that it is vague and ambiguous as to the terms "employee welfare
5 health benefit plans insured and/or administered by you." UBH and UHC further object to this
6 Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or
7 control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and
8 UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories
9 and now there is limited time left in which this information can be identified and produced before the
10 close of discovery. UBH and UHC further object to this Interrogatory as seeking information
11 contained in documents that have been produced in discovery, in searchable form, so therefore
12 Plaintiffs can search for and identify any specific words and phrases they wish to identify. UBH and
13 UHC also object to this Interrogatory to the extent that it seeks information which is subject to a
14 claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to
15 this Interrogatory on the grounds that it seeks information outside the statute of limitations. UBH and
16 UHC further object to the extent this Interrogatory is duplicative of other Interrogatories.

17 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
18 follows: UBH and UHC have not identified any plans in the productions to date that do not grant
19 discretion to UBH or UHC; however, given the breadth of the putative class, there may be some plans
20 in the putative class that do not grant discretion (*e.g.*, fully insured plans in states for which the state
21 insurance regulators do not allow discretion-granting provisions). As a general matter, most or all
22 ASO plans should contain discretion-granting provisions, though not all fully-insured plans contain
23 such language. Plaintiffs stated in meet and confers that they do not intend to include fully-insured
24 plans in the putative class, but in the event that this position has shifted the United Defendants are
25 available to meet and confer to discuss how to address this category of plans.

INTERROGATORY NO. 13:

Identify all employee welfare health benefit plans insured and/or administered by You, by plan sponsor and plan year, from January 1, 2015 to present that state that out-of-network benefits are or may be paid based on a rate recommended by Viant.

RESPONSE TO INTERROGATORY NO. 13:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "all" plans of a certain category. In particular, Plaintiffs' request that UBH and UHC identify "all employee welfare health benefit plans insured and/or administered by" UBH and UHC which would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms "employee welfare health benefit plans insured and/or administered by you." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC further object to this Interrogatory as seeking information contained in documents that have been produced in discovery, in searchable form, so therefore Plaintiffs can search for and identify any specific words and phrases they wish to identify. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a

claim of privilege or which is otherwise protected from disclosure. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations. UBH and UHC further object to the extent this Interrogatory is duplicative of other Interrogatories.

Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH and UHC refer Plaintiffs to the following plan documents produced in connection with the parties' negotiated samples. UHC000260999. The foregoing is an example of documents produced in the case using the terms specified in this Interrogatory, based on previously-discussed parameters memorialized in the above correspondence. However, the above example is not intended to be exhaustive, because each plan contains its own out-of-network reimbursement provisions, these provisions differ from plan to plan, and in many cases they changed over time even for the same plan. Accordingly, it would not be possible to list all provisions for all plans here. Additionally, the United Defendants' productions of plan documents are ongoing, and Plaintiffs should also refer to the provisions contained in additional plan documents that will be produced over the next several weeks.

INTERROGATORY NO. 14:

Describe in detail the results of any and all actuarial, underwriting, or other analyses You conducted, considered, and/or reviewed regarding the implications of using language stating that out-of-network benefits are or may be paid based on a rate recommended by Viant in employee welfare health benefit plans insured and/or administered by You.

RESPONSE TO INTERROGATORY NO. 14:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms "actuarial, underwriting, or other analyses," "considered," "conducted,"

“reviewed,” and “implications.” UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: based on a reasonable, good faith search using the parties’ negotiated ESI parameters, no responsive underwriting analyses have been identified. Although not precisely the type of analysis sought through this request, other cost analyses of the Facility R&C program can be found in the productions, including UHC000089628, UHC000089886, UHC000199259, UHC000097146, UHC000097182, UHC000097224, UHC000097226, UHC000047103, UHC000047105, UHC000047109, UHC000017763, UHC000202919, UHC000185868, and UHC000096196.

INTERROGATORY NO. 15:

Describe in detail the results of any and all actuarial, underwriting, or other analyses You conducted, considered, and/or reviewed regarding the implications of using rates recommended by Viant to pay out-of-network benefits.

RESPONSE TO INTERROGATORY NO. 15:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant’s OPR product, including plans that did not include Viant’s OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome,

1 including to the extent that it seeks to force UHC and UBH to describe in detail “any and all
 2 actuarial, underwriting, or other analyses” for each one of potentially thousands of plans. In
 3 particular, Plaintiffs’ Interrogatory would require UBH and UHC to review thousands of client
 4 relationships and health plans, most of which are completely irrelevant to the allegations in this
 5 action. UBH and UHC further object to this Interrogatory on the ground that it seeks information not
 6 involving Plaintiffs or any putative class members to the extent it seeks information about plans that
 7 did not include Viant’s OPR product. UBH and UHC further object to this Interrogatory on the
 8 grounds that it is vague and ambiguous as to the terms “actuarial, underwriting, or other analyses,”
 9 “considered,” “conducted,” “reviewed,” and “implications,” and “rates recommended by Viant to pay
 10 out-of-network benefits.” UBH and UHC further object to this Interrogatory to the extent it seeks
 11 information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained
 12 from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that
 13 Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in
 14 which this information can be identified and produced before the close of discovery. UBH and UHC
 15 also object to this Interrogatory to the extent that it seeks information which is subject to a claim of
 16 privilege or which is otherwise protected from disclosure, including but not limited to the attorney-
 17 client privilege, the attorney work-product doctrine, confidentiality agreements, or any other
 18 applicable privilege, doctrine, or protection. UBH and UHC further object to this Interrogatory on
 19 the grounds that it seeks information outside the statute of limitations. UBH and UHC further object
 20 to this Interrogatory to the extent it is duplicative of other Interrogatories, including Interrogatory
 21 Nos. 6, 7, and 14.

22 Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH
 23 and UHC hereby respond as follows: UBH and UHC refer Plaintiffs to various documents in their
 24 production involving various types of analyses including, for example, UHC000089628,
 25 UHC000089886, UHC000199259, UHC000097146, UHC000097182, UHC000097224,
 26 UHC000097226, UHC000047103, UHC000047105, UHC000047109, UHC000017763,
 27 UHC000202919, UHC000185868, and UHC000096196. The foregoing list identifies examples of
 28 documents produced in the case based on previously-discussed parameters memorialized in the above

correspondence. However, the above example is not intended to be exhaustive, because this Interrogatory is broadly worded and there have been various “analyses” of Facility R&C and/or Viant OPR throughout the multiple years at issue in this case. Accordingly, it would not be possible to list all “analyses” here. Additionally, the United Defendants’ productions of plan documents are ongoing, and Plaintiffs should also refer to additional documents that will be produced over the next several weeks.

INTERROGATORY NO. 16:

Describe in detail the results of any and all actuarial, underwriting, or other analyses You conducted, considered, and/or reviewed regarding the implications of changes to the Facility R&C Program percentile used to pay out-of-network benefits.

RESPONSE TO INTERROGATORY NO. 16:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant’s OPR product, including any changes to percentiles that did not impact the claims at issue in this case (*e.g.*, changes to the percentiles for reimbursement of ambulatory surgical centers, which are not at issue in this case). UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant’s OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms “actuarial, underwriting, or other analyses,” “considered,” “conducted,” “reviewed,” and “implications.” UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure,

1 including but not limited to the attorney-client privilege, the attorney work-product doctrine,
 2 confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC
 3 further object to this Interrogatory on the grounds that it seeks information outside the statute of
 4 limitations.

5 Subject to and without waiving the foregoing objections, consistent with Rule 33(d), UBH
 6 and UHC hereby refer Plaintiffs to the following documents (and others like them in the
 7 productions): *See, e.g.,* UHC000205524-UHC000205528; UHC000207874-UHC000207875 This
 8 list is not intended to be exhaustive, as there may be other documents in the productions discussing
 9 these or other cost analyses.

10 **INTERROGATORY NO. 17:**

11 Describe in detail the results of any and all underwriting analyses You conducted, considered,
 12 and/or reviewed regarding the implications of modifying plan language to reflect changes to the
 13 Facility R&C Program/Viant OPR percentile used to pay out-of-network benefits (e.g.: changing
 14 from 60th to 40th percentile of Viant OPR).

15 **RESPONSE TO INTERROGATORY NO. 17:**

16 UBH and UHC hereby incorporate their General Objections in their entirety into this
 17 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 18 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 19 programs to treat substance abuse for which rates were calculated using Viant's OPR product,
 20 including plans that did not include Viant's OPR product in its program offerings. UBH and UHC
 21 further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or
 22 any putative class members to the extent it seeks information about plans that did not include Viant's
 23 OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and
 24 ambiguous as to the terms "underwriting analyses," "considered," "conducted," "reviewed," and
 25 "implications." UBH and UHC further object to this Request to the extent it seeks information
 26 outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a
 27 party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs
 28 waited months to serve their first set of interrogatories and now there is limited time left in which this

1 information can be identified and produced before the close of discovery. UBH and UHC also object
 2 to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or
 3 which is otherwise protected from disclosure, including but not limited to the attorney-client
 4 privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable
 5 privilege, doctrine, or protection. UBH and UHC further object to this Interrogatory on the grounds
 6 that it seeks information outside the statute of limitations.

7 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 8 follows: based on a reasonable, good faith search using the parties' negotiated ESI parameters, no
 9 responsive underwriting analyses have been identified. Although not precisely the type of analysis
 10 sought through this request, other analyses of the potential cost impact of changing the Viant
 11 percentiles for claims that included (but were not limited to) the IOP services at issue in this case:
 12 *See, e.g.,* UHC000205524-UHC000205528; UHC000207874-UHC000207875. This list is not
 13 intended to be exhaustive, as there may be other documents in the productions discussing these or
 14 other cost analyses.

15 **INTERROGATORY NO. 18:**

16 Describe in detail the results of any and all actuarial analyses You conducted, considered,
 17 and/or reviewed regarding the implications of modifying plan language to reflect changes to the
 18 Facility R&C Program percentile used to pay out-of-network benefits.

19 **RESPONSE TO INTERROGATORY NO. 18:**

20 UBH and UHC hereby incorporate their General Objections in their entirety into this
 21 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 22 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 23 programs to treat substance abuse for which rates were calculated using Viant's OPR product,
 24 including plans that did not include Viant's OPR product in its program offerings. UBH and UHC
 25 further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or
 26 any putative class members to the extent it seeks information about plans that did not include Viant's
 27 OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and
 28 ambiguous as to the terms "actuarial analyses," "considered," "conducted," "reviewed," and

“implications.” UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection. UBH and UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of limitations.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: based on a reasonable, good faith search using the parties’ negotiated ESI parameters, no responsive analyses have been identified. Although not precisely the type of analysis sought through this request, other analyses of the potential cost impact of changing the Viant percentiles for claims that included (but were not limited to) the IOP services at issue in this case: *See, e.g.,* UHC000205524-UHC000205528; UHC000207874-UHC000207875. This list is not intended to be exhaustive, as there may be other documents in the productions discussing these or other cost analyses.

INTERROGATORY NO. 19:

Describe in detail the cost to United of processing an out-of-network claim for benefits through United’s Facility R&C Program.

RESPONSE TO INTERROGATORY NO. 19:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant’s OPR product, including plans that did not include Viant’s OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome,

1 including to the extent that it seeks to force UHC and UBH to “describe in detail.” UBH and UHC
 2 further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms
 3 “describe,” “detail,” “cost,” and “processing,” particularly to the extent this Interrogatory is asking
 4 for a generalized “cost” associated with “an out-of-network claim,” when these costs can vary widely
 5 from claim to claim and based on various factors. UBH and UHC further object to this Interrogatory
 6 to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more
 7 reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object
 8 on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is
 9 limited time left in which this information can be identified and produced before the close of
 10 discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information
 11 which is subject to a claim of privilege or which is otherwise protected from disclosure, including but
 12 not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality
 13 agreements, or any other applicable privilege, doctrine, or protection.

14 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 15 follows: UBH and UHC will meet and confer with Plaintiffs to understand what information is
 16 sought, and what documents or information, if any, can be reasonably provided.

17 **INTERROGATORY NO. 20:**

18 Describe in detail how reference numbers given on verification of benefits, authorization of
 19 benefits, utilization review, or other similar calls are generated, where such data are stored, and how
 20 such numbers may be used to then locate and/or identify recordings, notes, or other material relating
 21 to those calls.

22 **RESPONSE TO INTERROGATORY NO. 20:**

23 UBH and UHC hereby incorporate their General Objections in their entirety into this
 24 response. UBH and UHC further object to this Interrogatory on the ground that it seeks information
 25 about topics other than the reimbursement amount for out-of-network claims for intensive outpatient
 26 programs to treat substance abuse for which rates were calculated using Viant’s OPR product,
 27 including plans that did not include Viant’s OPR product in its program offerings. UBH and UHC
 28 further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome,

including to the extent that it seeks to force UHC and UBH to “describe in detail.” UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms “describe,” “detail,” “reference numbers,” “verification of benefits,” “authorization of benefits,” “utilization review,” and “similar calls.” UBH and UHC further object to this Interrogatory to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure, including but not limited to the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection.

Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as follows: UBH and UHC will meet and confer with Plaintiffs to understand what information is sought, and what documents or information, if any, can be reasonably provided.

INTERROGATORY NO. 21:

Describe in detail what steps, actions, policies, and/or procedures are taken by United or its agents with regard to members who receive balance bills for out-of-network claims priced through United’s Facility R&C program from January 1, 2015 to present.

RESPONSE TO INTERROGATORY NO. 21:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant’s OPR product, including plans that did not include Viant’s OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to “describe in detail.” UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms

1 “describe,” “detail,” “steps,” “actions,” “United,” and “agents.” UBH and UHC further object to this
 2 Interrogatory to the extent it seeks information outside of UBH’s or UHC’s possession, custody, or
 3 control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and
 4 UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories
 5 and now there is limited time left in which this information can be identified and produced before the
 6 close of discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks
 7 information which is subject to a claim of privilege or which is otherwise protected from disclosure,
 8 including but not limited to the attorney-client privilege, the attorney work-product doctrine,
 9 confidentiality agreements, or any other applicable privilege, doctrine, or protection.

10 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
 11 follows: for the out-of-network IOP services at issue in this case, involving claims for which allowed
 12 amounts were calculated based on Viant OPR through the Facility R&C program, when a member
 13 informs UBH or UHC that he or she is being balance billed by the provider, UHC will generally
 14 engage with the member, as well as MultiPlan/Viant, to try to protect the member from paying
 15 unnecessary amounts on any balance bill. The specific workflow and results can vary based on a
 16 variety of factors; for example, in some cases, UHC may be able to educate the member about the
 17 plan, balance-billing, or related topics, and through this discussion it may become clear that no
 18 further steps are needed (*e.g.*, sometimes the discussion reveals that a member actually has not
 19 received a balance bill from the provider and therefore does not owe any outstanding balance). In
 20 other cases, when the member actually has received a balance bill, a negotiated resolution can be
 21 reached with the provider (generally by Viant through its fee negotiation/patient advocacy service)
 22 and through the negotiated resolution the provider agrees not to balance bill the member in exchange
 23 for an increased payment on the claim. In other cases when the member has received a balance bill,
 24 no negotiated resolution can be reached with the provider, and in the event the provider pursues its
 25 balance bill the member may need to pay some or all of the balance bill (a possibility that is generally
 26 explained in the members’ plan documents). Members also have the option of appealing an adverse
 27 determination through the plan’s administrative appeals process, and the resolution of the appeal will
 28 depend on various plan-specific and claim-specific factors, as well as any information submitted with

the appeal. Consistent with Rule 33(d), the United Defendants also refer Plaintiffs to documents produced regarding the fee negotiation/patient advocacy process described above (*see, e.g.*, PLTFIRSTPROD0000001, PLTFIRSTPROD0000447, and PLTFIRSTPROD0000984; UHC000088195; UHC000296557).

INTERROGATORY NO. 22:

Describe in detail any studies, analysis, or projects to determine whether the Facility R&C program as administered, implemented, and/or utilized by United complied with the terms of the plans insured and/or administered by United along with the dates, findings, and individuals associated with such studies, analysis, or projects.

RESPONSE TO INTERROGATORY NO. 22:

UBH and UHC hereby incorporate their General Objections in their entirety into this response. UBH and UHC further object to this Interrogatory on the ground that it seeks information about topics other than the reimbursement amount for out-of-network claims for intensive outpatient programs to treat substance abuse for which rates were calculated using Viant's OPR product, including plans that did not include Viant's OPR product in its program offerings. UBH and UHC further object to this Interrogatory on the grounds that it is overly broad and unduly burdensome, including to the extent that it seeks to force UHC and UBH to identify "any studies, analysis, or projects" regarding plan language for each one of potentially thousands of plans. In particular, Plaintiffs' Interrogatory would require UBH and UHC to review thousands of client relationships and health plans, most of which are completely irrelevant to the allegations in this action. UBH and UHC further object to this Interrogatory on the ground that it seeks information not involving Plaintiffs or any putative class members to the extent it seeks information about plans that did not include Viant's OPR product. UBH and UHC further object to this Interrogatory on the grounds that it is vague and ambiguous as to the terms "Describe" and "projects." UBH and UHC further object to this Request to the extent it seeks information outside of UBH's or UHC's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH or UHC. UBH and UHC also object on the basis that Plaintiffs waited months to serve their first set of interrogatories and now there is limited time left in which this information can be identified and produced before the close of

1 discovery. UBH and UHC also object to this Interrogatory to the extent that it seeks information
2 which is subject to a claim of privilege or which is otherwise protected from disclosure. UBH and
3 UHC further object to this Interrogatory on the grounds that it seeks information outside the statute of
4 limitations. UBH and UHC further object to this Interrogatory to the extent it is duplicative of other
5 Interrogatories, including Interrogatory Nos. 6, 7, 14, 15, 16, 17, and 18.

6 Subject to and without waiving the foregoing objections, UBH and UHC hereby respond as
7 follows: various UHC in-house counsel and regulatory affairs personnel were involved on an
8 ongoing basis with reviewing plan language and ensuring that it supported UHC's out-of-network
9 programs, including Facility R&C, as well as changes to this program over time. Analyses by these
10 in-house lawyers generally are privileged.

11
12 Dated: July 7, 2022

13 GIBSON, DUNN & CRUTCHER LLP

14
15 By: /s/ Geoffrey Sigler
16 Geoffrey Sigler (admitted *pro hac vice*)

17 Attorneys for Defendants
18 UNITED BEHAVIORAL HEALTH and UNITED
19 HEALTHCARE INSURANCE COMPANY
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CERTIFICATION

I, Rebecca Paradise, certify that I have reviewed the foregoing Objections and Responses on behalf of UBH and UHC in the above-captioned matter; and with respect to UBH and UHC's answers to these Interrogatories that I have either personal knowledge of the factual information or have reviewed as UBH and UHC's agent information that is contained in, or contained within the non-objectionable parts, of UBH and UHC's answers, except to the extent information is being provided through business records pursuant to Federal Rule 33(d), and that these responses, subject to inadvertent or undiscovered errors, are based upon and, therefore, limited by the records and information still in existence, presently recollected, and thus far discovered in the course of the preparation of these answers; that consequently, I reserve, on behalf of UBH and UHC's, the right to make changes in the answers if it appears at any time that omissions or errors have been made therein or that more accurate information is available; and that subject to the limitations set forth herein, the said answers are true to the best of my knowledge, information and belief.

Executed on July 6, 2022.

Rebecca Paradise

Rebecca Paradise

Authorized Agent

CERTIFICATE OF SERVICE

I, hereby certify that on this 7th day of July 2022, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

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10 Attorneys for Defendant
UNITED BEHAVIORAL HEALTH

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 LD, DB, BW, RH and CJ, on behalf of
15 themselves and all others similarly situated,

16 Plaintiffs,

17 v.

18 UNITED BEHAVIORAL HEALTH, a
California Corporation, and MULTIPLAN
19 INC., a New York corporation,

20 Defendants.
21

CASE NO. 4:20-cv-02254

**DEFENDANT UNITED BEHAVIORAL
HEALTH'S RESPONSES AND
OBJECTIONS TO PLAINTIFFS' FIRST SET
OF REQUESTS FOR PRODUCTION**

22 PROPOUNDING PARTY: LD, DB, BW, RH and CJ

23 RESPONDING PARTY: UNITED BEHAVIORAL HEALTH

24 SET NUMBER: One
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PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendant United Behavioral Health (“UBH”) responds to Plaintiffs’ First Set of Requests for Production of Documents (the “Requests” and each individual “Request”). Pursuant to Federal Rule of Civil Procedure 34(b)(2)(B), UBH plans to begin a rolling production of documents UBH has agreed to produce, as described in the responses below, shortly after entry of an Electronic Stored Information (“ESI”) protocol, and plans to produce substantially all of the non-custodial documents it has agreed to produce below by September 30, 2021, and to produce the remainder (including custodial data) by the close of fact discovery. However, meeting this target will depend on prompt and reasonable resolution of the objections and other issues set out below, through a meet-and-confer that should be scheduled shortly after Plaintiffs’ counsel have had an opportunity to review these responses. UBH reserves the right to amend, supplement, and correct its objections or responses as necessary.

GENERAL OBJECTIONS

1. UBH objects to each and every Request, Definition, and Instruction to the extent it purports to impose obligations on UBH greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United States District Court for the Northern District of California (“Local Rules”), or the Parties’ anticipated ESI Protocol.

2. UBH objects to each and every Request, Definition, and Instruction as overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA, and therefore discovery should generally be limited to the administrative record for the claims at issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

3. UBH objects to each and every Request, Definition, and Instruction to the extent that it seeks information that is exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection.

1 4. UBH objects to each and every Request, Definition, and Instruction as overly broad to
2 the extent it seeks information not relevant to the claims or defenses of any party, or information
3 disproportionate to the needs of the case and of such marginal relevance that its probative value is
4 substantially outweighed by the burden imposed on UBH in having to search for and provide such
5 information.

6 5. UBH objects to each and every Request, Definition, and Instruction to the extent that
7 it seeks proprietary or other confidential information. To the extent any confidential health
8 information or other sensitive or protected business information is non-privileged and responsive to
9 the Requests for Production of Documents and not otherwise objectionable, UBH will provide such
10 information pursuant to the protections stipulated in the Parties' protective order and in accordance
11 with such other procedures as the Parties or Court may establish to protect sensitive or confidential
12 information. UBH also reserves the right to redact discrete categories of especially sensitive
13 information that are not directly relevant to the issues in this case (e.g., fee schedules and other
14 compensation information in contracts with third parties, discussions of products, third parties, and
15 services not at issue in the case).

16 6. UBH objects to each and every Request, Definition, and Instruction to the extent that
17 the documents requested are already in Plaintiffs' possession or are available to Plaintiffs from
18 another source that is more convenient, less burdensome, or less expensive.

19 7. UBH objects to each and every Request, Definition, and Instruction to the extent it
20 calls for production of documents or electronic information that would be unduly burdensome.

21 8. UBH objects to each and every Request, Definition, and Instruction to the extent it
22 calls for production of electronic information that is not reasonably accessible, including any
23 archived data or backup tapes that would be unduly burdensome to search or restore.

24 9. UBH objects to each and every Request, Definition, and Instruction to the extent that
25 it implicates the privacy interests of third parties established by law, contract, or custom. This
26 includes, but is not limited to, information covered by the Health Insurance Portability and
27 Accountability Act, and in particular sensitive health information regarding the mental health and
28 substance abuse conditions and treatments of participants and beneficiaries who are not named

1 Plaintiffs in this case. To the extent any confidential health information is non-privileged and
2 responsive to the Requests and not otherwise objectionable, UBH will provide such documents and
3 information pursuant to the Protective Order, and reserves the right to redact identifiers and other
4 patient-specific information as well.

5 10. UBH objects to each and every Request, Definition, and Instruction to the extent that
6 it seeks documents outside of UBH's possession, custody, and control, including to the extent any
7 Requests seek information from a "United" entity other than UBH. For those Requests seeking
8 documents from UnitedHealthcare Insurance Company, as stated in previous correspondence to
9 Plaintiffs, UBH's counsel will work with Plaintiffs to facilitate a subpoena that may be served on
10 UnitedHealthcare Insurance Company to obtain the relevant information.

11 11. Nothing contained herein or provided in response to the Requests consists of, or
12 should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence
13 of any alleged facts or information referenced in any Requests. By indicating that it will produce
14 non-objectionable, non-privileged responsive documents, UBH does not make a representation that
15 such documents exist or are in UBH's possession, but only that UBH will conduct the reasonable
16 searches indicated for the documents sought.

17 12. UBH objects to each and every Request, Definition, and Instruction to the extent that
18 it seeks documents outside of the relevant scope of discovery and statute of limitations for this case
19 which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims. *See*
20 *Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238 F.3d
21 1006, 1108 (9th Cir. 2001). In the event that UBH agrees to produce documents outside of the April
22 2, 2016 to present timeframe—the governing statute of limitations in this case—such agreement
23 should be deemed limited to that specific Request and is not to be construed as a waiver or admission
24 of any kind.

25 13. UBH objects to each and every Request, Definition, and Instruction to the extent that
26 it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and significant
27 discovery costs and search burdens on UBH.

14. Inadvertent production or identification of documents or communications that are privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with respect to the disclosed documents or communications or any other documents or communications or of the right of UBH to object to the use of any such documents or the subject matter thereof during subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiff will return the documents to UBH and will be precluded from disclosing or relying upon such documents in any way.

15. All the General Objections contained herein and Objections to Definitions and Instructions are expressly incorporated into each of the responses set forth below.

OBJECTIONS TO DEFINITIONS

1. UBH objects to Plaintiffs' definition of "United" (as well as "You" and "Your") on the ground that it is vague, ambiguous, overly broad and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct persons and entities through this definition who are not proper parties to this case and not properly subject to discovery. UBH will respond to these Requests for Production of Documents on behalf of United Behavioral Health, which is the named defendant in this case.

2. UBH objects to Plaintiffs' definition of "person" on the ground that it is overly broad and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct persons and entities through this definition who are not proper parties to this case and not properly subject to discovery. UBH will respond to these Requests for Production of Documents on behalf of United Behavioral Health, which is the named defendant in this case.

3. UBH objects to the definition of SSPe on the ground that it is overly broad and unduly burdensome in that it seeks information about programs that are not relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for intensive outpatient programs.

4. UBH objects to the definition of "Facility R&C" on the ground that it is overly broad and unduly burdensome in that it seeks information about programs that are not relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for intensive outpatient programs.

5. UBH objects to Plaintiffs’ definition of “document(s)” to the extent that it seeks to impose obligations on UBH beyond those required by the Federal rules. UBH further objects to this definition to the extent it calls for production of electronic information that is not reasonably accessible, including any archived data or backup tapes that would be unduly burdensome to search or restore. UBH will use the definition of “documents” set out in Federal Rule 34.

OBJECTIONS TO INSTRUCTIONS

1. UBH objects to Plaintiffs’ failure to number the Instructions. For purposes of clarity in responding and objecting to Plaintiffs’ Instructions, UBH has assigned a number to each Instruction based on the Instruction’s paragraph break.

2. UBH objects to Plaintiffs’ Instruction 1 as vague, ambiguous, and unduly burdensome because it calls for the production of documents within Plaintiffs’ possession, and not Defendant UBH. UBH will interpret this Instruction as referring to documents in UBH’s possession and not documents in Plaintiffs’ possession. UBH further objects to Plaintiffs’ Instruction 1 to the extent it seeks documents that are exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or protection.

3. UBH objects to Plaintiffs’ Instruction 2 that “these requests refer to the time, place, and circumstances of the occurrence described in the Complaint” to the extent that this Instruction includes periods outside the relevant scope of discovery and statute of limitations for this case which is four years for Plaintiffs’ ERISA claims and four years for Plaintiffs’ RICO claims. See *Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); see also *Pincay v. Andrews*, 238 F.3d 1006, 1108 (9th Cir. 2001). Subject to and without waiving these objections in responding to these Requests, absent further agreement between the Parties, UBH will use April 2, 2016 to present as the relevant discovery period in responding to these Requests. However, as stated above, UBH is willing to meet and confer with Plaintiffs in an attempt to reach an agreed approach to a relevant period for discovery. UBH also objects to Plaintiff’s Instruction 2 to the extent it seeks documents and information irrelevant to the claims at issue in the Complaint, including to the extent it seeks documents and information irrelevant to IOP services. Plaintiffs’ Complaint alleges that Defendants

“den[ie]d proper payment for the IOP treatment services that Plaintiffs received” and “under-reimburse[d] Plaintiffs’ claims for medically necessary IOP services provided to them.” See, e.g., Second Amended Complaint (“SAC”) ¶¶ 5, 29; *see also* SAC ¶¶ 437–38 (noting that the alleged harm is limited to “underpa[yment]” of the “IOP claims of the Plaintiffs and the class”).

4. UBH objects to Plaintiffs’ Instruction 5 that each request “refer[s] to all documents that are either known by Defendant to exist or that can be located or discovered by reasonably diligent efforts of the Defendant” to the extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal Rules. UBH further objects to Instruction 5 to the extent it calls for the production of information outside of UBH’s possession, custody, and control and includes documents that may already be in Plaintiffs’ possession or are available to Plaintiffs from another source that is more convenient, less burdensome, or less expensive.

5. UBH objects to Plaintiffs’ Instruction 6 that each request be deemed “continuing,” on the ground that such obligation would be unduly burdensome given the broad scope and number of the requests. UBH further objects to Instruction 6 as vague, ambiguous, and nonsensical on the ground that this Instruction purports to require UBH to “seasonably supplement the production.”

6. UBH objects to Plaintiffs’ Instruction 8 to the extent it purports to confer obligations on UBH beyond what the Parties have agreed to in their ESI protocol (e.g., subpart (a)). UBH further objects to Instruction 8 to the extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal Rules.

7. UBH objects to Plaintiffs’ Instruction 9 to the extent it purports to confer obligations beyond what the Parties have agreed to in their ESI protocol (e.g., subparts (a) and (b)). By way of example only, the Parties’ ESI protocol does not reference or call for the maintenance of an “online repository . . . maintained by an independent vendor.” UBH further objects to Instruction 9 to the extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal Rules.

8. UBH objects to Plaintiffs’ Instruction 10 to the extent it purports to confer obligations beyond what the Parties have agreed to in their ESI protocol. By way of example only, there is no reference to requirements for hard copy productions in the ESI protocol. UBH further objects to

1 Instruction 10 to the extent that this Instruction seeks to impose obligations on UBH beyond those
2 required by the Federal Rules.

3 9. UBH objects to Plaintiffs' Instruction 11 to the extent it purports to confer obligations
4 on UBH beyond what the Parties have agreed to in their ESI protocol (e.g., subpart (1)(b)(5)). UBH
5 further objects to Instruction 11 to the extent that this Instruction seeks to impose obligations on UBH
6 beyond those required by the Federal Rules.

7 10. UBH objects to Plaintiffs' Instruction 12 to the extent it purports to confer obligations
8 on UBH beyond what the Parties have agreed to in their ESI protocol. By way of example only, the
9 Instruction purports to require UBH to "identif[y]" and "enter[]" separately" attachments to a
10 document, but the Parties' ESI protocol states that "[a]ttachments to privileged email messages do not
11 need to be identified on the Privilege Log separately from, or in addition to the privilege email."
12 UBH further objects to Instruction 12 to the extent that this Instruction seeks to impose obligations on
13 UBH beyond those required by the Federal Rules.

14 11. UBH objects to Plaintiffs' Instruction 13 to the extent that this Instruction seeks to
15 impose obligations on UBH beyond those required by the Federal Rules. UBH further objects to
16 Instruction 13 to the extent the Instruction calls for the information exempt from discovery and
17 protected from disclosure by the attorney-client privilege, the attorney work-product doctrine,
18 confidentiality agreements, or any other applicable privilege, doctrine or protection.

19 12. UBH objects to Plaintiffs' Instruction 14 to the extent that this Instruction seeks to
20 impose obligations on UBH beyond those required by the Federal Rules, including to the extent it
21 purports to require UBH to "ventur[e] beyond the parties to the litigation and include non-parties."
22 UBH further objects to Instruction 14 to the extent the Instruction calls for the information exempt
23 from discovery and protected from disclosure by the attorney-client privilege, the attorney work-
24 product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or protection.

25 13. UBH objects to Plaintiffs' Instruction 15 that "any objections as to an alleged burden
26 shall clearly set out the nature of the alleged burden by affidavit or other reliable evidence" to the
27 extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal
28 Rules.

14. UBH objects to Plaintiffs' Instruction 16 to the extent it requires UBH to "set forth . . . the interpretation that [it] [has] chosen to use in responding to the request." Where a request is ambiguous UBH will provide its interpretation to the extent possible, and otherwise reserves the right to meet and confer.

15. UBH objects to Plaintiffs' Instruction 17 that each Request be deemed "continuing in nature" on the ground that such obligation would be unduly burdensome given the broad scope and number of the Requests. UBH further objects to Instruction 17 to the extent it is duplicative of Instruction 6.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST NO. 1:

For the period January 1, 2015, to present, produce a claims report identifying all OON claims paid or adjudicated by United for claims with HCPCS Code H0015, H2036, and S9480.

RESPONSE TO REQUEST NO. 1:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH to "produce" a "claims report" specifically for this litigation containing "all" claims within a broadly-defined category that includes multiple codes, including HCPCS Code H2036, that have no apparent connection to the IOP services at issue in the case. Furthermore, as framed, this Request is overly broad because it is not limited to claims "paid or adjudicated" using the Viant OPR data that Plaintiffs challenge in the Complaint. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs regarding
 3 the parameters of a claim data summary regarding the putative class members' claims involving IOP
 4 services priced using Viant's OPR data that can be reasonably be produced by UBH to satisfy this
 5 request.

6 **REQUEST NO. 2:**

7 For the period January 1, 2015, to present, produce a claims report identifying all OON
 8 outpatient claims with HCPCS Code H0015, H2036 and S9480 that were priced using Viant OPR
 9 and were paid by United, including data on any adjustments to the initial pricing and whether the plan
 10 was ASO or FI.

11 **RESPONSE TO REQUEST NO. 2:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
 13 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 14 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 15 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
 16 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
 17 calculated using Viant's OPR product. UBH further objects to this Request as vague and ambiguous,
 18 particularly with respect to the phrase "adjustments to the initial pricing." UBH further objects to
 19 this Request as overly broad and unduly burdensome. By way of example only, this Request is
 20 overly broad and unduly burdensome to the extent it purports require UBH to "produce" a "claims
 21 report" specifically for this litigation containing "all" claims within a broadly-defined category that
 22 includes multiple codes, including HCPCS Code H2036, that have no apparent connection to the IOP
 23 services at issue in the case. UBH also objects to the extent this Request seeks documents outside the
 24 time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

25 Subject to and without waiving the General Objections, the Objections to Definitions and
 26 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs regarding
 27 the parameters of a claim data summary regarding the putative class members' claims involving IOP
 28

services priced using Viant's OPR data that can be reasonably be produced by UBH to satisfy this request.

REQUEST NO. 3:

A full and complete copy of the Network Access Agreement between UnitedHealthcare Insurance Company and MultiPlan Inc, including the original agreement and all subsequent amendments thereto through present.

RESPONSE TO REQUEST NO. 3:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, in that the agreement at issue involves a separate entity, UnitedHealthcare Insurance Company. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek amendments having nothing to do with the Viant OPR data that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome, in that it seeks information about agreements that are not relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will search for and produce non-privileged, responsive contracts and amendments regarding Viant's OPR data relevant to the claims at issue that were in effect during the putative class period pursuant to this Request, subject to the completion of a meet and confer with Plaintiffs regarding a subpoena that may be served on UnitedHealthcare Insurance Company to obtain these documents.

REQUEST NO. 4:

For the period January 1, 2015, to present, produce a report of all fees and all internal operating income derived by United's SSP/SSPe.

RESPONSE TO REQUEST NO. 4:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence. By way of example only, UBH objects to this Request as seeking to impose a broad search for documents related to UBH’s SSP/SSPe that is not related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request as overly broad and unduly burdensome, to the extent it asks UBH to “produce” a report of “all” fees and internal operating income regarding broadly defined programs not limited to the claims and services at issue in the case. UBH also objects to this Request as duplicative of Request No. 5. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

REQUEST NO. 5:

For the period January 1, 2015, to present, produce a report of all internal operating income derived from/by United’s SSP/SSPe, specifically from its use of the Viant OPR solution.

RESPONSE TO REQUEST NO. 5:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. By way of example only, UBH objects to this Request as seeking to impose a broad search for documents related to UBH’s SSP/SSPe that is not related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request as overly broad and unduly burdensome, in that it seeks information about

1 programs that are not relevant to Plaintiffs' claims and allegations in this case, which challenge
2 Viant's pricing methods for intensive outpatient programs. UBH also objects to the extent this
3 Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims
4 and allegations in this case.

5 **REQUEST NO. 6:**

6 For the period January 1, 2015, to present, produce a report showing all actual fees paid to
7 Multiplan under the Network Access Agreement.

8 **RESPONSE TO REQUEST NO. 6:**

9 UBH hereby incorporates its General Objections and Objections to Definitions and
10 Instructions in their entirety into this response. UBH objects to this Request as seeking information
11 outside its possession, custody, and control, to the extent that this Request seeks information from a
12 "United" entity other than UBH. UBH objects to this Request on the ground that it seeks information
13 not relevant to the claims or defenses of any party and not reasonably calculated to lead to the
14 discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data
15 used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request
16 as overly broad and unduly burdensome. By way of example only, this Request seeks information
17 about fees that are not limited to claims and allegations related to Viant's OPR pricing for intensive
18 outpatient programs. UBH also objects to the extent this Request seeks documents outside the time
19 period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further
20 objects to this Request to the extent it seeks information outside of UBH's possession, custody, and
21 control, including but not limited to any documents that may be in the possession of MultiPlan but
22 not UBH.

23 Subject to and without waiving the General Objections, the Objections to Definitions and
24 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
25 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
26 provided.

REQUEST NO. 7:

For the period January 1, 2015, to present, produce a report showing all actual fees paid to Multiplan specifically related to United's use of the Viant OPR solution.

RESPONSE TO REQUEST NO. 7:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request on the grounds that the term "solution" is vague and undefined. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request seeks information about fees that are not limited to claims and allegations related to Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 8:

For the period January 1, 2015, to the present, produce any and all quarterly update / quarter in review PowerPoint slide deck presentations prepared by MultiPlan for United.

RESPONSE TO REQUEST NO. 8:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as vague and ambiguous, in that the “quarterly update / quarter in review” documents are not defined or tied to the topics or services at issue in the case. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request seeks presentations that are that are not related to Viant’s OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 9:

For the period of January 1, 2015, to present, any and all correspondence relating to the regular quarterly meetings between United and MultiPlan.

RESPONSE TO REQUEST NO. 9:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH objects to this Request on the ground that it seeks information

not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request seeks information about meetings that are not related to Viant's OPR pricing for intensive outpatient programs. UBH objects to this Request as vague and ambiguous, in that the "quarterly meeting" documents are not defined or tied to the topics or services at issue in the case. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 10:

For the period of January 1, 2015, to present, any and all WebEx or other recordings of quarterly meetings between United and MultiPlan covering the period of January 1, 2015 to present.

RESPONSE TO REQUEST NO. 10:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request seeks

1 information about meetings that are not related to Viant's OPR pricing for intensive outpatient
 2 programs. UBH objects to this Request as vague and ambiguous, in that the "quarterly meeting"
 3 documents are not defined or tied to the topics or services at issue in the case. UBH also objects to
 4 the extent this Request seeks documents outside the time period properly subject to discovery for
 5 Plaintiffs' claims and allegations in this case. UBH further objects to this Request to the extent it
 6 seeks information outside of UBH's possession, custody, and control, including but not limited to any
 7 documents that may be in the possession of MultiPlan but not UBH.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
 9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 10 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 11 identify non-privileged documents in its possession, custody, and control that are responsive to this
 12 Request.

13 **REQUEST NO. 11:**

14 For the period of January 1, 2015, to present, any and all agendas prepared for any meetings,
 15 including quarterly meetings, between United and MultiPlan covering the period of January 1, 2015
 16 to present.

17 **RESPONSE TO REQUEST NO. 11:**

18 UBH hereby incorporates its General Objections and Objections to Definitions and
 19 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 20 outside its possession, custody, and control, to the extent that this Request seeks information from a
 21 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 22 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 23 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 24 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 25 Request as overly broad and unduly burdensome. By way of example only, this Request seeks
 26 information about meetings that are not related to Viant's pricing methods for intensive outpatient
 27 programs. UBH objects to this Request as vague and ambiguous, in that the "quarterly meeting"
 28 documents are not defined or tied to the topics or services at issue in the case. UBH also objects to

the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 12:

For the period of January 1, 2015, to present, any and all "white papers," documents entitled "Viant Facility U&C Review — Outpatient Review (OPR) Module" or summaries of methodologies prepared by MultiPlan concerning or applicable to OON outpatient claim pricing that includes or relates to MultiPlan's Viant OPR medical reimbursement analysis solution or the pricing of OON outpatient and Facility R&C claims and any related correspondence

RESPONSE TO REQUEST NO. 12:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as vague, ambiguous, overly broad, and unduly burdensome. By way of example only, the term "white papers" is undefined and, as written, could encompass reports or summaries regarding any and all issues in UBH's possession. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 3 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 4 provided.

5 **REQUEST NO. 13:**

6 For the period January 1, 2015, to the present, any and all documents related to United's
 7 selection of Multiple Procedure Parameters ("MPR") to be used by Multiplan in pricing Facility
 8 R&C, Viant OPR and/or OON outpatient claims and all related correspondence.

9 **RESPONSE TO REQUEST NO. 13:**

10 UBH hereby incorporates its General Objections and Objections to Definitions and
 11 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 12 outside its possession, custody, and control, to the extent that this Request seeks information from a
 13 "United" entity other than UBH. UBH objects to this Request on the ground that it seeks information
 14 not relevant to the claims or defenses of any party and not reasonably calculated to lead to the
 15 discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data
 16 used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request
 17 as overly broad and unduly burdensome, in that it seeks information about programs that are not
 18 relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for
 19 intensive outpatient programs. UBH further objects to this Request as vague and ambiguous. By
 20 way of example only, the term "Multiple Procedure Parameters" is vague and ambiguous because it
 21 is undefined. UBH also objects to the extent this Request seeks documents outside the time period
 22 properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects
 23 to this Request to the extent it seeks information outside of UBH's possession, custody, and control,
 24 including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

25 Subject to and without waiving the General Objections, the Objections to Definitions and
 26 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 27 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 28 provided.

REQUEST NO. 14:

For the period of January 1, 2015, to present, any and all documents, both internal and external, relating to Facility R&C Default Rates applied to OON mental health / behavioral health claims when the Facility R&C methodology does not have a rate available.

RESPONSE TO REQUEST NO. 14:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome, in that it seeks information about programs that are not relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects to the phrase "Facility R&C Default Rates" and "Facility R&C methodology" as vague and ambiguous because those phrases are undefined.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 15:

For the period of January 1, 2015, to present, any and all reports in United's custody prepared by or relating to Dr. Bernard Siskin and any correspondence related to or referencing such reports.

RESPONSE TO REQUEST NO. 15:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH objects to this Request on the ground that it seeks information

not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome, to the extent it purports to request reports that are not relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 16:

For the period of January 1, 2015, to present, all correspondence from Emma Johnson to Rebecca Paradise or Sarah Peterson referencing reports by Dr. Siskin.

RESPONSE TO REQUEST NO. 16:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome, to the extent it purports to request correspondence and reports that are not relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks

documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 17:

For the period January 1, 2015, to present, produce all documents and correspondence related to United's SSP/SSPe fees and internal operating income earned by United.

RESPONSE TO REQUEST NO. 17:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "all documents and correspondence" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. By way of example only, UBH objects to this Request as seeking to impose a broad search for documents related to UBH's SSP/SSPe that is not related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it is duplicative of Request No. 18. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

REQUEST NO. 18:

For the period January 1, 2015, to present, produce all internal presentations including PowerPoint slide decks and spreadsheets related to United's SSP/SSPe fees and internal operating income earned by United.

RESPONSE TO REQUEST NO. 18:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "all internal presentations . . . and spreadsheets" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. By way of example only, UBH objects to this Request as seeking to impose a broad search for documents related to UBH's SSP/SSPe that is not related to Viant's OPR pricing for intensive outpatient programs. UBH further objects that this Request is duplicative of Request No. 17. UBH further objects to this Request as vague and ambiguous, particularly with respect to the phrase "internal presentations." UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

REQUEST NO. 19:

For the period January 1, 2015, to the present, any and all presentations prepared by MultiPlan relating to enhancing United's competitive position in the healthcare market, or "landscape", and any related correspondence.

RESPONSE TO REQUEST NO. 19:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information

outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all presentations” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. By way of example only, this Request is overly broad and unduly burdensome because the phrase “any and all presentations prepared by MultiPlan relating to enhancing United’s competitive position in the healthcare market, or ‘landscape’” is not limited to materials related to Viant’s OPR pricing for intensive outpatient programs. Additionally, UBH objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

REQUEST NO. 20:

For the period January 1, 2015, to present, any and all correspondence, presentation, PowerPoint slide decks or reports, either internal or external, relating to changes in OPR percentiles and/or the pricing of OON outpatient claims. This request includes email correspondence to, from or including any of the following: Rebecca Paradise, John Haben, Sarah Peterson, Ray Lopez, Jacqueline Kienzle, Emma Johnson, Mark Edwards, Dale White, and Tina Smith.

RESPONSE TO REQUEST NO. 20:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR

1 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 2 Request as overly broad and unduly burdensome on the ground that it seek “any and all
 3 correspondence, presentation[s], PowerPoint slide decks or reports” and to the extent the Request is
 4 not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. By way
 5 of example only, this Request is overly broad and unduly burdensome because the Request, which
 6 asks for documents involving, among other things, “the pricing of OON outpatient claims,” is not
 7 limited to materials related to Viant’s OPR pricing for intensive outpatient programs. UBH further
 8 objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and
 9 control, including but not limited to any documents that may be in the possession of MultiPlan but
 10 not UBH. UBH also objects to the extent this Request seeks documents outside the time period
 11 properly subject to discovery for Plaintiffs’ claims and allegations in this case.

12 Subject to and without waiving the General Objections, the Objections to Definitions and
 13 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 14 what documents Plaintiffs seek through this request and what documents, if any, can reasonably be
 15 provided.

16 **REQUEST NO. 21:**

17 For the period January 1, 2015, to present, any and all internal PowerPoint slide deck
 18 presentations, models, spreadsheets or projections relating to changes in Facility R&C pricing and/or
 19 Viant OPR percentiles applied to OON outpatient claims.

20 **RESPONSE TO REQUEST NO. 21:**

21 UBH hereby incorporates its General Objections and Objections to Definitions and
 22 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 23 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 24 lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant
 25 OPR data used to price IOP services that Plaintiffs challenge in this case. By way of example only,
 26 the Request seeks information about “presentations, models, spreadsheets or projections” that are not
 27 limited to claims and allegations related to Viant’s pricing methods for intensive outpatient programs.
 28 UBH further objects to this Request as overly broad and unduly burdensome on the ground that it

1 seeks “any and all . . . presentations, models, spreadsheets or projections” and to the extent it seeks
 2 information not related to Viant’s OPR pricing for intensive outpatient programs. UBH also objects
 3 to the extent this Request seeks documents outside the time period properly subject to discovery for
 4 Plaintiffs’ claims and allegations in this case.

5 Subject to and without waiving the General Objections, the Objections to Definitions and
 6 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 7 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 8 identify non-privileged documents in its possession, custody, and control that are responsive to this
 9 Request.

10 **REQUEST NO. 22:**

11 For the period January 1, 2015, to present, any and all internal presentations, PowerPoint slide
 12 decks, spreadsheets, models or projections relating to Shared Savings Program fees resulting from
 13 changes in Facility R&C pricing and/or Viant OPR percentiles applied by United to OON outpatient
 14 claims.

15 **RESPONSE TO REQUEST NO. 22:**

16 UBH hereby incorporates its General Objections and Objections to Definitions and
 17 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 18 outside its possession, custody, and control, to the extent that this Request seeks information from a
 19 “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks
 20 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 21 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 22 data used to price IOP services that Plaintiffs challenge in this case. UBH also objects that this
 23 Request is duplicative of Request No. 21. UBH further objects to this Request as overly broad and
 24 unduly burdensome on the ground that it seeks “any and all . . . presentations . . . slide decks,
 25 spreadsheets, models or projections” and to the extent it seeks information not related to Viant’s OPR
 26 pricing for intensive outpatient programs. By way of example only, UBH objects to this Request as
 27 seeking to impose a broad search for documents related to UBH’s “Shared Savings Program,” which
 28 Plaintiffs have defined to include “SSP/SSPe,” that is not related to Viant’s OPR pricing for intensive

1 outpatient programs. UBH also objects to the extent this Request seeks documents outside the time
 2 period properly subject to discovery for Plaintiffs' claims and allegations in this case.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
 4 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 5 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 6 provided.

7 **REQUEST NO. 23:**

8 For the period of January 1, 2015, to present, any and all internal presentations or projections
 9 relating to changes in OON outpatient, Facility R&C and/or OPR percentiles prepared by any
 10 individuals employed in United's Out of Network Payment Strategy department.

11 **RESPONSE TO REQUEST NO. 23:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
 13 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 14 outside its possession, custody, and control, to the extent that this Request seeks information from a
 15 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 16 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 17 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 18 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 19 Request as overly broad and unduly burdensome on the ground that it seeks "any and all internal
 20 presentations or projections" and to the extent it seeks information not related to Viant's OPR pricing
 21 for intensive outpatient programs. By way of example only, UBH objects to this Request as seeking
 22 to impose a broad search for documents related to "Facility R&C" or "OON outpatient" or "OPR
 23 percentiles" that is not related to Viant's OPR pricing for intensive outpatient programs. UBH
 24 further objects to this Request on the grounds that the term "Out of Network Payment Strategy
 25 department" is vague and undefined. UBH also objects to the extent this Request seeks documents
 26 outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this
 27 case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 3 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 4 provided.

5 **REQUEST NO. 24:**

6 For the period January 1, 2015, to present, any and all communications and documents
 7 relating to changing Facility R&C and OPR percentiles, including for the Facility R&C and Viant
 8 OPR percentile reduction changes occurring in 2018 and 2020, and the Facility R&C Compare
 9 implementation occurring in 2018.

10 **RESPONSE TO REQUEST NO. 24:**

11 UBH hereby incorporates its General Objections and Objections to Definitions and
 12 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 13 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 14 lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant
 15 OPR data used to price IOP services that Plaintiffs challenge in this case. By way of example only,
 16 the Request seeks information about “Facility R&C” and “OPR Percentiles” that is not limited to
 17 claims and allegations related to Viant’s OPR pricing for intensive outpatient programs. UBH also
 18 objects that this Request is duplicative of Request No. 23. UBH further objects to this Request as
 19 overly broad and unduly burdensome on the ground that it seeks “any and all communications or
 20 documents” and to the extent it seeks information not related to Viant’s OPR pricing for intensive
 21 outpatient programs. UBH further objects to this Request on the grounds that the term “Facility R&C
 22 Compare” is vague and undefined. UBH further objects to this Request to the extent it seeks
 23 information outside of UBH’s possession, custody, and control, including but not limited to any
 24 documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent
 25 this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’
 26 claims and allegations in this case.

27 Subject to and without waiving the General Objections, the Objections to Definitions and
 28 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss

1 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
2 provided.

3 **REQUEST NO. 25:**

4 For the period January 1, 2015, to present, all Change Request Forms, and related
5 correspondence with attachments, prepared by United and transmitted to Multiplan regarding
6 reductions in OPR percentiles and Facility Benchmark Pricing.

7 **RESPONSE TO REQUEST NO. 25:**

8 UBH hereby incorporates its General Objections and Objections to Definitions and
9 Instructions in their entirety into this response. UBH objects to this Request as seeking information
10 outside its possession, custody, and control, to the extent that this Request seeks information from a
11 “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks
12 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
13 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
14 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
15 Request as overly broad and unduly burdensome on the ground that it seeks “all Change Request
16 Forms and related correspondence” to the extent it seeks information not related to Viant’s OPR
17 pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that
18 the term “Change Request Form” is vague and undefined. UBH also objects to the extent this
19 Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims
20 and allegations in this case.

21 Subject to and without waiving the General Objections, the Objections to Definitions and
22 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
23 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
24 provided.

25 **REQUEST NO. 26:**

26 For the period January 1, 2015, to present, any and all correspondence, both internal and
27 external, and documents related to the appeal of OON outpatient and Facility R&C claims, i.e., rules
28 regarding appeals and appeal negotiation parameters set by United, for Facility R&C claims.

RESPONSE TO REQUEST NO. 26:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. By way of example only, the Request seeks information about “correspondence” and “documents related to the appeal” that is not limited to claims and allegations related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all correspondence . . . and documents” and to the extent it seeks information not related to Viant’s OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 27:

For the period January 1, 2015, to present, all scripts used by United customer service to address disputes of Viant OPR priced claims.

RESPONSE TO REQUEST NO. 27:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks

information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “all scripts” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH objects to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 28:

For the period January 1, 2015, to present, produce a report showing all disputed OON outpatient and Facility R&C claims that had been initially priced by Viant OPR but were later adjusted and paid at either billed charges or the R&C amount.

RESPONSE TO REQUEST NO. 28:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome to the extent the Request is not limited to Viant’s OPR pricing for intensive outpatient programs and to the extent it purports to require to UBH to produce a “report” specifically for this litigation beyond what is required by the Federal Rules. UBH

1 objects to the extent this Request seeks documents outside the time period properly subject to
2 discovery for Plaintiffs' claims and allegations in this case.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
5 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
6 provided.

7 **REQUEST NO. 29:**

8 For the period January 1, 2015, to present, any and all documents related to dispute
9 procedures is response to provider balance billing for OON outpatient and Facility R&C claims.

10 **RESPONSE TO REQUEST NO. 29:**

11 UBH hereby incorporates its General Objections and Objections to Definitions and
12 Instructions in their entirety into this response. UBH further objects to this Request on the ground
13 that it seeks information not relevant to the claims or defenses of any party and not reasonably
14 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
15 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH
16 further objects to this Request as vague and ambiguous, particularly with respect to the term "dispute
17 procedures." UBH further objects to this Request as overly broad and unduly burdensome on the
18 ground that it seeks "any and all documents" and to the extent the Request is not limited to
19 documents related to Viant's OPR pricing for intensive outpatient programs. UBH also objects to the
20 extent this Request seeks documents outside the time period properly subject to discovery for
21 Plaintiffs' claims and allegations in this case.

22 Subject to and without waiving the General Objections, the Objections to Definitions and
23 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
24 what documents Plaintiffs seek through this request and what documents, if any, can reasonably be
25 provided.
26
27
28

REQUEST NO. 30:

For the period of January 1, 2015, to present, any and all documents related to policies and procedures to hold members harmless for OON outpatient and Facility R&C claims, including, but not limited to, claim negotiation and legal action by United.

RESPONSE TO REQUEST NO. 30:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. By way of example only, this Request is overly broad and unduly burdensome to the extent it seeks information about “policies and procedures to hold members harmless for OON outpatient and Facility R&C claims” that is not related to Viant’s OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH objects to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 31:

For the period of January 1, 2015, to present, all documents relating to the Remark Code ‘CY’.

RESPONSE TO REQUEST NO. 31:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “all documents relating to the Remark Code ‘CY’ and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. By way of example only, this Request is overly broad and unduly burdensome because it requests information about the Remark Code ‘CY’ that is not limited to documents related to intensive outpatient programs or Viant’s OPR pricing for intensive outpatient programs, but rather any and all documents related to the Remark Code ‘CY’ made on wholly unrelated bases. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 32:

For the period of January 1, 2015, to present, any and all documents, correspondence, PowerPoint slide decks and spreadsheets, both internal and external, relating to Facility R&C Default Rates applied to OON mental health / behavioral health claims when the Facility R&C/Viant OPR methodology does not have a rate available.

RESPONSE TO REQUEST NO. 32:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents, correspondence, PowerPoint slide decks and spreadsheets” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. By way of example only, UBH objects to this Request as overly broad and unduly burdensome to the extent it seeks documents related to “Facility R&C Default Rates” and “Facility R&C/Viant OPR methodology” that is not related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to the phrase “Facility R&C Default Rates” and “Facility R&C/Viant OPR methodology” as vague and ambiguous because those phrases are undefined. UBH further objects because this Request is duplicative of Request No. 14. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 33:

For the period of January 1, 2015, to present, any and all documents relating to any pricing methodology applied to OON UB claims that either contained HCPS / CPT code H0015 or had HCPS / CPT code H0015 appended after the claims were submitted.

RESPONSE TO REQUEST NO. 33:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request as vague and ambiguous, particularly with respect to the phrase “pricing methodology.” UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 34:

For the period of January 1, 2015, to present, any and all documents relating to the methodology or solution applied to BMP-eligible claims sent to Viant Facility U&C where the Viant Facility U&C allowed amount exceeded the Benchmark Pricing Target amount returned from MultiPlan’s DUKE system with 043 or 044 return codes.

RESPONSE TO REQUEST NO. 34:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to

lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all policy and procedure manuals or similar documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request as vague and ambiguous, on the ground that the terms “BMP-eligible claims,” “MultiPlan’s DUKE system,” and “Viant Facility U&C” are undefined. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 35:

For the period of January 1, 2015, to present, any and all presentations, PowerPoint slide decks, and spreadsheets, prepared for regular Governance Meetings between United and Multiplan.

RESPONSE TO REQUEST NO. 35:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all

presentations, PowerPoint slide decks, and spreadsheets” and to the extent it seeks information not related Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “Governance Meetings” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 36:

For the period of January 1, 2015, to present, any and all agendas for United and MultiPlan’s Governance Meetings.

RESPONSE TO REQUEST NO. 36:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all agendas” and to the extent it seeks information not related Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “Governance Meetings” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession,

1 custody, and control, including but not limited to any documents that may be in the possession of
2 MultiPlan but not UBH.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
5 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
6 provided.

7 **REQUEST NO. 37:**

8 For the period of January 1, 2015, to present, any and all correspondence concerning United
9 and MultiPlan's Governance Meetings.

10 **RESPONSE TO REQUEST NO. 37:**

11 UBH hereby incorporates its General Objections and Objections to Definitions and
12 Instructions in their entirety into this response. UBH objects to this Request as seeking information
13 outside its possession, custody, and control, to the extent that this Request seeks information from a
14 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
15 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
16 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
17 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
18 Request as overly broad and unduly burdensome on the ground that it seeks "any and all
19 correspondence" and to the extent it seeks information not related Viant's OPR pricing for intensive
20 outpatient programs. UBH further objects to this Request on the grounds that the term "Governance
21 Meetings" is vague and undefined. UBH further objects to this Request to the extent it seeks
22 information outside of UBH's possession, custody, and control, including but not limited to any
23 documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent
24 this Request seeks documents outside the time period properly subject to discovery for Plaintiffs'
25 claims and allegations in this case.

26 Subject to and without waiving the General Objections, the Objections to Definitions and
27 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
28

1 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
2 provided.

3 **REQUEST NO. 38:**

4 For the period of January 1, 2015, to present, any and all WebEx or other recordings of
5 United and MultiPlan's Governance Meetings from 2015 to present.

6 **RESPONSE TO REQUEST NO. 38:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH objects to this Request as seeking information
9 outside its possession, custody, and control, to the extent that this Request seeks information from a
10 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
11 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
12 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
13 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
14 Request as overly broad and unduly burdensome on the ground that it seeks "any and all WebEx or
15 other recordings" and to the extent it seeks information not related Viant's OPR pricing for intensive
16 outpatient programs. UBH further objects to this Request on the grounds that the term "Governance
17 Meetings" is vague and undefined. UBH further objects to this Request to the extent it seeks
18 information outside of UBH's possession, custody, and control, including but not limited to any
19 documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent
20 this Request seeks documents outside the time period properly subject to discovery for Plaintiffs'
21 claims and allegations in this case.

22 Subject to and without waiving the General Objections, the Objections to Definitions and
23 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
24 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
25 provided.

26 **REQUEST NO. 39:**

27 For the period of January 1, 2015, to present, any and all documents or correspondence
28 concerning any meetings between United and Multiplan occurring from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 39:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents or correspondence concerning any meetings” and to the extent it seeks information not related to Viant’s pricing methods for intensive outpatient programs. UBH further objects to this request to the extent it is duplicative of Request No. 37. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 40:

For the period of January 1, 2015, to present, any and all documents, presentations, PowerPoint slide decks, prepared by MultiPlan for United that include, relate to, or pertain to any ‘Savings Analysis’ of Facility R&C/Viant OPR from 2015 to the present.

RESPONSE TO REQUEST NO. 40:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a

1 “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks
 2 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 3 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 4 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 5 Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents,
 6 presentations, [and] PowerPoint slide decks” and to the extent the Request is not limited to
 7 documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to
 8 this Request on the grounds that the term “Savings Analysis” is vague and undefined. UBH further
 9 objects to this Request to the extent it is duplicative of other Requests, including Request No. 35.
 10 UBH further objects to this Request to the extent it seeks information outside of UBH’s possession,
 11 custody, and control, including but not limited to any presentations that may be in the possession of
 12 MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the
 13 time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
 15 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 16 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 17 provided.

18 **REQUEST NO. 41:**

19 For the period of January 1, 2015, to present, any and all internal presentations, documents,
 20 and correspondence, that include, relate to, or pertain to OON outpatient and Facility R&C claims
 21 and/or ‘savings’ related to OON outpatient and Facility R&C claims.

22 **RESPONSE TO REQUEST NO. 41:**

23 UBH hereby incorporates its General Objections and Objections to Definitions and
 24 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 25 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 26 lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant
 27 OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 28 Request as overly broad and unduly burdensome on the ground that it seeks “any and all internal

presentations, documents, and correspondence” and is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 22. UBH further objects to this Request on the grounds that the term “savings” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 42:

For the period of January 1, 2015, to present, any and all internal presentations, documents and correspondence, that include, relate to, or pertain to Vaint OPR claims and/or ‘savings’ related to Viant OPR claims.

RESPONSE TO REQUEST NO. 42:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all internal presentations, documents, and correspondence” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 40. UBH further objects to this Request on the grounds that the term “savings” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 3 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 4 provided.

5 **REQUEST NO. 43:**

6 For the period of January 1, 2015, to present, any and all correspondence and documents
 7 relating to the language used in PAD letters for claims priced using OON outpatient and Facility
 8 R&C and/or Viant OPR claims, including external correspondence with Multiplan.

9 **RESPONSE TO REQUEST NO. 43:**

10 UBH hereby incorporates its General Objections and Objections to Definitions and
 11 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 12 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 13 lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant
 14 OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 15 Request as overly broad and unduly burdensome to the extent it seeks “any and all” documents and
 16 correspondence and to the extent it seeks information not related Viant’s OPR pricing for intensive
 17 outpatient programs. UBH further objects to this Request to the extent it seeks information outside of
 18 UBH’s possession, custody, and control, including but not limited to any presentations that may be in
 19 the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks
 20 documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations
 21 in this case. UBH objects to this Request to the extent it seeks information which is subject to a
 22 claim of privilege or which is otherwise protected from disclosure by, including without limitation,
 23 the attorney-client privilege or the attorney work product doctrine.

24 Subject to and without waiving the General Objections, the Objections to Definitions and
 25 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 26 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 27 provided.

REQUEST NO. 44:

For the period of January 1, 2015, to present, any and all correspondence and documents relating to the language used in EOBs for claims priced using OON outpatient and Facility R&C and/or Viant OPR, including external correspondence with Multiplan.

RESPONSE TO REQUEST NO. 44:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all correspondence and documents” and to the extent it seeks information not related Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 45:

For the period of January 1, 2015, to present, any and all correspondence and documents relating to the language used in PRAs for claims priced using Facility R&C and/or Viant OPR, including external correspondence with Multiplan.

RESPONSE TO REQUEST NO. 45:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. By way of example only, UBH objects that the term “PRAs” and concerns providers which are not at issue in this matter because this Action concerns claims brought by members and the related Provider action brought by Summit Estate was dismissed by the Court. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all correspondence and documents” and to the extent it seeks information not related Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

REQUEST NO. 46:

For the period of January 1, 2015, to present, any and all correspondence and documents relating to Summary Plan Description (SPD), Certificate of Coverage (CoC) or other benefit plan language used to support or describe claims priced using Facility R&C and/or Viant OPR, including external correspondence with Multiplan.

RESPONSE TO REQUEST NO. 46:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant

1 OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this
 2 Request as overly broad and unduly burdensome on the ground that it seeks “any and all
 3 correspondence and documents” and to the extent the Request is not limited to documents related to
 4 Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the
 5 grounds that the terms “Summary Plan Description” and “Certificate of Coverage” are vague and
 6 undefined. UBH also objects to the extent this Request seeks documents outside the time period
 7 properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects
 8 to this Request to the extent it seeks information which is subject to a claim of privilege or which is
 9 otherwise protected from disclosure by, including without limitation, the attorney-client privilege or
 10 the attorney work product doctrine.

11 Subject to and without waiving the General Objections, the Objections to Definitions and
 12 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 13 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 14 provided.

15 **REQUEST NO. 47:**

16 For the period of January 1, 2015, to present, any and all internal correspondence,
 17 presentations, reports, and documents relating to the drafting of plan language in SPDs and CoCs to
 18 describe or support the pricing of OON outpatient, Facility R&C claims and “Eligible Expenses”.

19 **RESPONSE TO REQUEST NO. 47:**

20 UBH hereby incorporates its General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 22 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 23 lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant
 24 OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this
 25 Request as overly broad and unduly burdensome on the ground that it seeks “any and all internal
 26 correspondence, presentation, reports, and documents” and to the extent it seeks information not
 27 related Viant’s OPR pricing for intensive outpatient programs. UBH also objects to the extent this
 28 Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims

1 and allegations in this case. UBH further objects to this Request to the extent it seeks information
 2 which is subject to a claim of privilege or which is otherwise protected from disclosure by, including
 3 without limitation, the attorney-client privilege or the attorney work product doctrine.

4 **REQUEST NO. 48:**

5 For the period of January 1, 2015, to present, all internal analysis and reports prepared by You
 6 regarding plan language in SPDs and CoCs regarding and whether existing language supports Facility
 7 R&C, Viant OPR, and BMP pricing.

8 **RESPONSE TO REQUEST NO. 48:**

9 UBH hereby incorporates its General Objections and Objections to Definitions and
 10 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 11 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 12 lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant
 13 OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 14 Request as overly broad and unduly burdensome on the ground that it seeks “all internal analysis and
 15 reports” and to the extent it seeks information not related Viant’s OPR pricing for intensive outpatient
 16 programs. UBH further objects to the extent this Request is duplicative of other Requests, including
 17 Request No. 47. UBH also objects to the extent this Request seeks documents outside the time period
 18 properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects
 19 to this Request to the extent it seeks information which is subject to a claim of privilege or which is
 20 otherwise protected from disclosure by, including without limitation, the attorney-client privilege or
 21 the attorney work product doctrine.

22 Subject to and without waiving the General Objections, the Objections to Definitions and
 23 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 24 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 25 provided.
 26
 27
 28

REQUEST NO. 49:

For the period of January 1, 2015, to present, any and all correspondence, PowerPoint slide decks, spreadsheets, presentations, documents prepared by MultiPlan for United concerning, relating to, or referring to OON outpatient and/or Facility R&C and/or OPR.

RESPONSE TO REQUEST NO. 49:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all correspondence, PowerPoint slide decks, spreadsheets, presentations, documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 12. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 50:

For the period of January 1, 2015, to present, any and all documents prepared by MultiPlan for United relating to or concerning savings related to OON outpatient and Facility R&C claims.

RESPONSE TO REQUEST NO. 50:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not limited to documents related to Viant’s pricing methods for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request as vague and ambiguous, particularly with respect to the phrase “savings.” UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 40. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 51:

For the period of January 1, 2015, to present, any and all documents concerning or relating to the percentile used by the Viant OPR methodology.

RESPONSE TO REQUEST NO. 51:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request

1 is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH
 2 further objects to the extent this Request is duplicative of other Requests, including Requests No. 21,
 3 22 and 24. UBH further objects to this Request to the extent it seeks information outside of UBH’s
 4 possession, custody, and control, including but not limited to any documents that may be in the
 5 possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents
 6 outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this
 7 case.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
 9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 10 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 11 provided.

12 **REQUEST NO. 52:**

13 For the period of January 1, 2015, to present, any and all documents concerning or relating to
 14 the comparing of MultiPlan network pricing to a percentile used by the Viant OPR methodology.

15 **RESPONSE TO REQUEST NO. 52:**

16 UBH hereby incorporates its General Objections and Objections to Definitions and
 17 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 18 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 19 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
 20 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH
 21 objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and
 22 all documents” and to the extent the Request is not limited to documents related to Viant’s OPR
 23 pricing for intensive outpatient programs. UBH further objects to the request as overly broad because
 24 it seeks information regarding MultiPlan network pricing which is not at issue in this matter. UBH
 25 further objects to the extent this Request is duplicative of other Requests, including Request No. 51.
 26 UBH further objects to this Request to the extent it seeks information outside of UBH’s possession,
 27 custody, and control, including but not limited to any documents that may be in the possession of
 28

1 MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the
2 time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

3 **REQUEST NO. 53:**

4 For the period of January 1, 2015, to present, any and all correspondence between MultiPlan
5 and United involving Benefit Plan Language.

6 **RESPONSE TO REQUEST NO. 53:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH objects to this Request as seeking information
9 outside its possession, custody, and control, to the extent that this Request seeks information from a
10 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
11 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
12 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
13 data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as
14 overly broad and unduly burdensome on the ground that it seeks "any and all correspondence" and to
15 the extent the Request is not limited to documents related to Viant's OPR pricing for intensive
16 outpatient programs. UBH further objects to this Request on the grounds that the term "benefit plan
17 language" is vague and undefined. UBH also objects to the extent this Request seeks documents
18 outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this
19 case. UBH further objects to this Request to the extent it seeks information outside of UBH's
20 possession, custody, and control, including but not limited to any documents that may be in the
21 possession of MultiPlan but not UBH. UBH also objects to this Request to the extent that it seeks
22 information which is subject to a claim of privilege or which is otherwise protected from disclosure
23 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

24 Subject to and without waiving the General Objections, the Objections to Definitions and
25 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
26 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
27 identify non-privileged documents in its possession, custody, and control that are responsive to this
28 Request.

REQUEST NO. 54:

For the period of January 1, 2015, to present, any and all correspondence between MultiPlan and United involving EOB language requirements.

RESPONSE TO REQUEST NO. 54:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all correspondence” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 44. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 55:

For the period of January 1, 2015, to present, any and all United internal correspondence and documents relating to plan benefit language and/or language in EOBs to support claims priced using the Viant OPR methodology.

RESPONSE TO REQUEST NO. 55:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all United internal correspondence and documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests, including Request Nos. 44 and 54. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 56:

For the period of January 1, 2015, to present, any and all documents or correspondence relating to the Viant U&C solution.

RESPONSE TO REQUEST NO. 56:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents or correspondence” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “Viant U&C solution” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 57:

For the period of January 1, 2015, to present, any and all documents relating to the Viant OPR methodology’s geozip grouping.

RESPONSE TO REQUEST NO. 57:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this

Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term "geozip grouping" is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 58:

For the period of January 1, 2015, to present, any and all documents relating to Viant's Facility Outpatient Usual and Customary (U&C) Review Service.

RESPONSE TO REQUEST NO. 58:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term "Viant's Facility Outpatient Usual and Customary (U&C)

Review Service” is vague and undefined. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 34. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 59:

For the period of January 1, 2015, to present, any and all documents relating to Viant’s Outpatient Review Service.

RESPONSE TO REQUEST NO. 59:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “Viant’s Outpatient Review Service” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss

1 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 2 identify non-privileged documents in its possession, custody, and control that are responsive to this
 3 Request.

4 **REQUEST NO. 60:**

5 For the period of January 1, 2015, to present, any and all documents relating to the provider
 6 charge data used in the Viant OPR methodology.

7 **RESPONSE TO REQUEST NO. 60:**

8 UBH hereby incorporates its General Objections and Objections to Definitions and
 9 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 10 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 11 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
 12 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH
 13 objects to this Request to the extent it seeks information outside of UBH's possession, custody, and
 14 control, including but not limited to any presentations that may be in the possession of MultiPlan but
 15 not UBH. UBH further objects to this Request as overly broad and unduly burdensome on the
 16 ground that it seeks "any and all documents" and to the extent the Request is not limited to
 17 documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to
 18 the extent this Request is duplicative of other Requests, including Request Nos. 32, 51, and 52. UBH
 19 also objects to the extent this Request seeks documents outside the time period properly subject to
 20 discovery for Plaintiffs' claims and allegations in this case.

21 Subject to and without waiving the General Objections, the Objections to Definitions and
 22 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 23 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 24 identify non-privileged documents in its possession, custody, and control that are responsive to this
 25 Request.

26 **REQUEST NO. 61:**

27 For the period of January 1, 2015, to present, any and all documents relating to the Standard
 28 Analytical Outpatient File data used in Viant OPR.

RESPONSE TO REQUEST NO. 61:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 62:

For the period of January 1, 2015, to present, any and all documents relating to the Status Indicators assigned through the CMS crosswalk used in the Viant OPR.

RESPONSE TO REQUEST NO. 62:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request to the extent it seeks information outside of UBH's possession, custody, and

control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the terms “status indicators” and “CMS crosswalk” are vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 63:

For the period of January 1, 2015, to present, any and all documents relating to the comparison of a facility’s billed charge and facility charges for the same service within the geographic area used by Viant to determine the Usual and Customary (U&C) value of charges.

RESPONSE TO REQUEST NO. 63:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any presentations that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request as vague and ambiguous, particularly with respect to the phrases “comparison of a

1 facility's billed charge" and "facility charges for the same service within the geographic area used by
2 Viant." UBH also objects to the extent this Request seeks documents outside the time period
3 properly subject to discovery for Plaintiffs' claims and allegations in this case.

4 Subject to and without waiving the General Objections, the Objections to Definitions and
5 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
6 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
7 identify non-privileged documents in its possession, custody, and control that are responsive to this
8 Request.

9 **REQUEST NO. 64:**

10 For the period of January 1, 2015, to present, any and all documents related to United's
11 selection of the percentile to be used by Viant OPR in pricing OON outpatient and Facility R&C
12 claims.

13 **RESPONSE TO REQUEST NO. 64:**

14 UBH hereby incorporates its General Objections and Objections to Definitions and
15 Instructions in their entirety into this response. UBH objects to this Request as seeking information
16 outside its possession, custody, and control, to the extent that this Request seeks information from a
17 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
18 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
19 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
20 data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as
21 overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the
22 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
23 programs. UBH further objects to this Request to the extent it seeks information outside of UBH's
24 possession, custody, and control, including but not limited to any documents that may be in the
25 possession of MultiPlan but not UBH. UBH further objects to the extent this Request is duplicative
26 of other Requests, including Request Nos. 20, 22, 23 and 24 among others. UBH also objects to the
27 extent this Request seeks documents outside the time period properly subject to discovery for
28 Plaintiffs' claims and allegations in this case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 3 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 4 provided.

5 **REQUEST NO. 65:**

6 For the period of January 1, 2015, to present, any and all documents related to United's
 7 selection of Claim Dollar Thresholds to be used by Viant in pricing OON outpatient and Facility
 8 R&C claims.

9 **RESPONSE TO REQUEST NO. 65:**

10 UBH hereby incorporates its General Objections and Objections to Definitions and
 11 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 12 outside its possession, custody, and control, to the extent that this Request seeks information from a
 13 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 14 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 15 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 16 data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as
 17 overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the
 18 extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient
 19 programs. UBH further objects to this Request on the grounds that the term "Claim Dollar
 20 Threshold" is vague and undefined. UBH also objects to the extent this Request seeks documents
 21 outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this
 22 case.

23 Subject to and without waiving the General Objections, the Objections to Definitions and
 24 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 25 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 26 provided.

REQUEST NO. 66:

For the period of January 1, 2015, to present, any and all documents related to United's selection of Multiplan Patient Advocacy options to be used by Viant in relation to OON outpatient and Facility R&C claims.

RESPONSE TO REQUEST NO. 66:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. By way of example only, the Request seeks information about "Multiplan Patient Advocacy options" that are not limited to claims and allegations related to Viant's pricing methods for intensive outpatient programs. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term "Patient Advocacy" is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 67:

For the period of January 1, 2015, to present, any and all documents related to United's selection of Provider U&C Inquiry Management services to be used in relation to OON outpatient and Facility R&C claims.

RESPONSE TO REQUEST NO. 67:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “Provider U&C Inquiry Management” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 68:

For the period of January 1, 2015, to present, any and all documents related to the Patient Advocacy Process to be used in relation to Facility R&C claims.

RESPONSE TO REQUEST NO. 68:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents”

1 and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive
 2 outpatient programs. UBH further objects to this Request on the grounds that the term "Patient
 3 Advocacy Process" is vague and undefined. UBH further objects to the extent this Request is
 4 duplicative of other Requests, including Request No. 66. UBH further objects to this Request to the
 5 extent it seeks information outside of UBH's possession, custody, and control, including but not
 6 limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects
 7 to the extent this Request seeks documents outside the time period properly subject to discovery for
 8 Plaintiffs' claims and allegations in this case.

9 Subject to and without waiving the General Objections, the Objections to Definitions and
 10 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 11 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 12 provided.

13 **REQUEST NO. 69:**

14 For the period of January 1, 2015, to present, any and all documents relating to Appealed
 15 Savings for claims priced through Viant OPR and Facility R&C for OON outpatient claims.

16 **RESPONSE TO REQUEST NO. 69:**

17 UBH hereby incorporates its General Objections and Objections to Definitions and
 18 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 19 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 20 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
 21 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. By way
 22 of example only, the Request seeks information about "Appealed Savings" for claims that are not
 23 limited to claims and allegations related to Viant's pricing methods for intensive outpatient programs.
 24 UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any
 25 and all documents" and to the extent the Request is not limited to documents related to Viant's OPR
 26 pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that
 27 the term "Appealed Savings" is vague and undefined. UBH also objects to the extent this Request
 28

1 seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and
2 allegations in this case.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
5 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
6 provided.

7 **REQUEST NO. 70:**

8 For the period of January 1, 2015, to present, any and all documents relating to the use of
9 Stand on Data (SOD) in appeals of claims priced through Viant OPR / Facility R&C.

10 **RESPONSE TO REQUEST NO. 70:**

11 UBH hereby incorporates its General Objections and Objections to Definitions and
12 Instructions in their entirety into this response. UBH further objects to this Request on the ground
13 that it seeks information not relevant to the claims or defenses of any party and not reasonably
14 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
15 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH
16 objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and
17 all documents" and to the extent the Request is not limited to documents related to Viant's OPR
18 pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that
19 the term "Stand on Data" is vague and undefined. UBH also objects to the extent this Request seeks
20 documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations
21 in this case.

22 Subject to and without waiving the General Objections, the Objections to Definitions and
23 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
24 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
25 provided.

26 **REQUEST NO. 71:**

27 For the period of January 1, 2015, to present, any and all documents relating to United's
28 standard operating procedure (SOP) for appeals of claims priced through Viant OPR / Facility R&C.

RESPONSE TO REQUEST NO. 71:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent it seeks information not related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “standard operating procedure” is vague and undefined. UBH further objects to the extent this Request is duplicative of other Requests, including Request Nos. 26 and 70, among others. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 72:

For the period of January 1, 2015, to present, any and all documents relating to the application of Viant’s proprietary fee schedule to United’s SSP/SSPe and OON outpatient and/or Facility R&C programs

RESPONSE TO REQUEST NO. 72:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a

“United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent it seeks information not related to Viant’s OPR pricing for intensive outpatient programs. By way of example only, UBH objects to this Request as seeking to impose a broad search for documents related to UBH’s SSP/SSPe that is not related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “proprietary fee schedule” is vague and undefined. UBH further objects to the extent this Request is duplicative of other Requests, including Request Nos. 4, 5, 17, and 18 among others. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 73:

For the period of January 1, 2015, to present, any and all documents, including claims flowcharts, relating to the reimbursement hierarchy for OON claims with HCPCS Code H0015, H2036, and/or S9480.

RESPONSE TO REQUEST NO. 73:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to

lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent it seeks information not related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to seek information within a broadly-defined category that includes multiple codes, including HCPCS Code H2036, that have no apparent connection to the IOP services at issue in the case. Furthermore, as framed, this Request is overly broad because it is not limited to claims "paid or adjudicated" using the Viant OPR data that Plaintiffs challenge in the Complaint. UBH further objects to this Request on the grounds that the term "reimbursement hierarchy" is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 74:

For the period of January 1, 2015, to present, any and all documents relating to UB / Facility claim OPR Target Pricing.

RESPONSE TO REQUEST NO. 74:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this

Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent it seeks information not related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the grounds that the term “target pricing” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the foregoing objections, UBH is willing to meet and confer with Plaintiffs to determine what specific, relevant documents Plaintiffs are seeking and what non-privileged documents are in UBH’s possession, custody, and control and can be reasonably provided in response to this Request.

REQUEST NO. 75:

For the period of January 1, 2015, to present, any and all documents that relate to or compare Viant OPR / Facility R&C/OON outpatient reimbursement amounts and FAIR Health, UCR, R&C or any other charge-based metric.

RESPONSE TO REQUEST NO. 75:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents” and to the extent it seeks information not related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH further objects to this Request on the grounds that the term “charge-based metric” is vague and undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

1 Subject to and without waiving the foregoing objections, UBH is willing to meet and confer
 2 with Plaintiffs to determine what specific, relevant documents Plaintiffs are seeking and what non-
 3 privileged documents are in UBH's possession, custody, and control and can be reasonably provided
 4 in response to this Request.

5 **REQUEST NO. 76:**

6 For the period of January 1, 2015, to present, samples of any 'cease and desist' letters sent by
 7 United to any healthcare provider for claims with HCPCS Code H0015, H20136, and/or S9480.

8 **RESPONSE TO REQUEST NO. 76:**

9 UBH hereby incorporates its General Objections and Objections to Definitions and
 10 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 11 outside its possession, custody, and control, to the extent that this Request seeks information from a
 12 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 13 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 14 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 15 data used to price IOP services that Plaintiffs challenge in this case. By way of example only, there
 16 are no allegations pertaining to any "cease and desist" letters in Plaintiffs' complaint. UBH further
 17 objects to this Request as overly broad and unduly burdensome. By way of example only, this
 18 Request is overly broad and unduly burdensome to the extent it purports to seek information within a
 19 broadly-defined category that includes multiple codes, including HCPCS Code H2036, that have no
 20 apparent connection to the IOP services at issue in the case. UBH also objects to the extent this
 21 Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims
 22 and allegations in this case.

23 Subject to and without waiving the foregoing objections, UBH is willing to meet and confer
 24 with Plaintiffs to determine what specific, relevant documents Plaintiffs are seeking and what non-
 25 privileged documents are in UBH's possession, custody, and control and can be reasonably provided
 26 in response to this Request.

REQUEST NO. 77:

For the period of January 1, 2015, to present, any and all non-privileged documents relating to lawsuits filed by United or on their behalf for claims with HCPCS Code H0015, H2036, and/or S9480.

RESPONSE TO REQUEST NO. 77:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH objects to this Request to the extent that it requests documents that are publicly available and equally accessible to Plaintiffs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

REQUEST NO. 78:

For the period of January 1, 2015, to present, all documents and correspondence relating to the Apple, Inc. ASO plans / package options - including the ASO agreement and all amendments - between United and Apple, as well as a report of all fees, including SSP/SSPe/Facility R&C fees, earned by United pursuant to that agreement.

RESPONSE TO REQUEST NO. 78:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents and correspondence” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. By way of example only, UBH objects to this Request as

1 seeking to impose a broad search for documents related to UBH's SSP/SSPe that is not related to
2 Viant's OPR pricing for intensive outpatient programs and to the extent the Request purports to
3 require UBH to produce a "report" specifically for this litigation beyond what is required by the
4 Federal Rules. UBH further objects to this Request on the grounds that it seeks information which is
5 subject to a claim of privilege or which is otherwise protected from disclosure by, including without
6 limitation, the attorney-client privilege or the attorney work product doctrine. UBH also objects to
7 the extent this Request seeks documents outside the time period properly subject to discovery for
8 Plaintiffs' claims and allegations in this case.

9 **REQUEST NO. 79:**

10 Produce a report and all communications and documents relating to charges to Apple by
11 United that are related to the Apple employees whose claims are at issue in this matter, including for
12 claims submitted to United by Summit Estate.

13 **RESPONSE TO REQUEST NO. 79:**

14 UBH hereby incorporates its General Objections and Objections to Definitions and
15 Instructions in their entirety into this response. UBH objects to this Request as seeking information
16 outside its possession, custody, and control, to the extent that this Request seeks information from a
17 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
18 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
19 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
20 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
21 Request as overly broad and unduly burdensome on the ground that it seeks "all communications and
22 documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing
23 for intensive outpatient programs. By way of example only, this Request is overly broad and unduly
24 burdensome to the extent it purports to require UBH to produce a "report" specifically for this
25 litigation beyond what is required by the Federal Rules. UBH further objects to this Request as
26 vague and ambiguous, particularly with respect to the phrase "relating to charges to Apple by
27 United." UBH further objects to the extent this Request is duplicative of other Requests, including
28 Request No. 78. UBH further objects to this Request on the grounds that it seeks information which

1 is subject to a claim of privilege or which is otherwise protected from disclosure by, including
 2 without limitation, the attorney-client privilege or the attorney work product doctrine. UBH also
 3 objects to the extent this Request seeks documents outside the time period properly subject to
 4 discovery for Plaintiffs' claims and allegations in this case.

5 Subject to and without waiving the General Objections and Objections to Definitions and
 6 Instructions in their entirety, UBH will produce records related to the Apple employees whose claims
 7 are at issue in this matter pursuant to this Request that are in UBH's possession, custody, or control.

8 **REQUEST NO. 80:**

9 For the period of January 1, 2015 to present, all documents and correspondence relating to the
 10 Tesla, Inc. ASO plans / package options - including the ASO agreement and all amendments -
 11 between United and Tesla, as well as a report of all fees, including SSP/SSPe/Facility R&C fees,
 12 earned by United pursuant to that agreement.

13 **RESPONSE TO REQUEST NO. 80:**

14 UBH hereby incorporates its General Objections and Objections to Definitions and
 15 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 16 outside its possession, custody, and control, to the extent that this Request seeks information from a
 17 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 18 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 19 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 20 data used to price IOP services that Plaintiffs challenge in this case. UBH objects to this Request as
 21 overly broad and unduly burdensome on the ground that it seeks "any and all documents and
 22 correspondence" and to the extent the Request is not limited to documents related to Viant's OPR
 23 pricing for intensive outpatient programs. By way of example only, UBH objects to this Request as
 24 seeking to impose a broad search for documents related to UBH's SSP/SSPe that is not related to
 25 Viant's OPR pricing for intensive outpatient programs and to the extent the Request purports to
 26 require UBH to produce a "report" specifically for this litigation beyond what is required by the
 27 Federal Rules. UBH further objects to this Request on the grounds that it seeks information which is
 28 subject to a claim of privilege or which is otherwise protected from disclosure by, including without

1 limitation, the attorney-client privilege or the attorney work product doctrine. UBH also objects to
 2 the extent this Request seeks documents outside the time period properly subject to discovery for
 3 Plaintiffs' claims and allegations in this case.

4 Subject to and without waiving the General Objections and Objections to Definitions and
 5 Instructions in their entirety, UBH will produce records related to the Apple employees whose claims
 6 are at issue in this matter pursuant to this Request that are in UBH's possession, custody, or control.

7 **REQUEST NO. 81:**

8 Produce a report and all communications and documents relating to charges to Tesla by
 9 United that are related to the Tesla employee whose claims are at issue in this matter, including for
 10 claims submitted to United by Summit Estate.

11 **RESPONSE TO REQUEST NO. 81:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
 13 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 14 outside its possession, custody, and control, to the extent that this Request seeks information from a
 15 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 16 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 17 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 18 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 19 Request as overly broad and unduly burdensome on the ground that it seeks "all communications and
 20 documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing
 21 for intensive outpatient programs. By way of example only, this Request is overly broad and unduly
 22 burdensome to the extent it purports to require UBH to produce a "report" specifically for this
 23 litigation beyond what is required by the Federal Rules. UBH further objects to this Request as
 24 vague and ambiguous, particularly with respect to the phrase "relating to charges to Tesla by United."
 25 UBH further objects to the extent this Request is duplicative of other Requests, including Request
 26 No. 80. UBH further objects to this Request on the grounds that it seeks information which is subject
 27 to a claim of privilege or which is otherwise protected from disclosure by, including without
 28 limitation, the attorney-client privilege or the attorney work product doctrine. UBH also objects to

1 the extent this Request seeks documents outside the time period properly subject to discovery for
2 Plaintiffs' claims and allegations in this case.

3 Subject to and without waiving the General Objections and Objections to Definitions and
4 Instructions in their entirety, UBH will produce records related to the Tesla employee whose claims
5 are at issue in this matter pursuant to this Request that are in UBH's possession, custody, or control.

6 **REQUEST NO. 82:**

7 For the period of January 1, 2015, to present, produce all correspondence between United and
8 Apple and United and Tesla regarding OON outpatient and/or Facility R&C benefit changes and/or
9 Viant OPR percentile reductions.

10 **RESPONSE TO REQUEST NO. 82:**

11 UBH hereby incorporates its General Objections and Objections to Definitions and
12 Instructions in their entirety into this response. UBH objects to this Request as seeking information
13 outside its possession, custody, and control, to the extent that this Request seeks information from a
14 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
15 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
16 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
17 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
18 Request as overly broad and unduly burdensome on the ground that it seeks "all correspondence" and
19 to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive
20 outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests,
21 including Request Nos. 78 and 80. UBH also objects to the extent this Request seeks documents
22 outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this
23 case.

24 **REQUEST NO. 83:**

25 For the period of January 1, 2015, to present, produce all correspondence between United and
26 Plaintiffs notifying them of OON outpatient and/or Facility R&C benefit changes and/or Viant OPR
27 percentile reductions.

RESPONSE TO REQUEST NO. 83:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “all correspondence” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 24. UBH further objects to this Request to the extent it seeks documents and information more reasonably obtained from a party or third party other than UBH, including to the extent such documents or information are in Plaintiffs’ possession. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections and Objections to Definitions and Instructions in their entirety, UBH will produce correspondence with Plaintiffs pursuant to this Request and to the extent Plaintiffs are requesting something different via this Request, UBH is willing to meet and confer with Plaintiffs to determine what specific, relevant documents Plaintiffs are seeking and what non-privileged documents are in UBH’s possession, custody, and control and can be reasonably provided in response to this Request.

REQUEST NO. 84:

For the period of January 1, 2015, to present, produce all correspondence between United and its “key account” and “national account” ASO customers notifying them of OON outpatient and/or Facility R&C benefit changes and/or Viant OPR percentile reductions.

RESPONSE TO REQUEST NO. 84:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “all correspondence” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the ground that the terms “key account” and “national account” are vague and undefined. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 24. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this request and what documents, if any, can reasonably be provided.

REQUEST NO. 85:

For the period of January 1, 2015, to present, produce all correspondence between United and its “key account” and “national account” ASO customers discussing opt-outs from OON outpatient or Facility R&C benefit changes and/or Viant OPR percentile reductions.

RESPONSE TO REQUEST NO. 85:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks

information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “all correspondence” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request on the ground that the terms “key account” and “national account” are vague and undefined. UBH further objects to the extent this Request is duplicative of other Requests, including Request Nos. 24 and 84, among others. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 86:

For the period of January 1, 2015, to present, produce a spreadsheet indicating ASO customer opt-outs from OON outpatient or Facility R&C benefit changes and/or Viant OPR percentile reductions.

RESPONSE TO REQUEST NO. 86:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it purports to require UBH to produce a “spreadsheet” specifically for this litigation beyond what is required by the Federal Rules and to the extent the Request is not limited to documents and information related to Viant’s OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks

documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 87:

For the period of January 1, 2015, to present, produce correspondence between United and its members notifying them of OON outpatient and Facility R&C changes and/or Viant OPR percentile reductions. This request applies to members of ASO and FI plans.

RESPONSE TO REQUEST NO. 87:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, UBH objects to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests, including Request Nos. 24 and 83. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections and Objections to Definitions and Instructions in their entirety, UBH will produce a sample of EOBs and appeal correspondence with its members that is in its possession, custody, or control, pursuant to this Request.

REQUEST NO. 88:

For the period of January 1, 2015, to present, produce all communications of United's ASO sales team related to OON outpatient and Facility R&C changes and/or Viant OPR percentile reductions.

RESPONSE TO REQUEST NO. 88:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "all communications" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request as vague and ambiguous, particularly with respect to the phrase "all communications" as it does not identify with whom the communications occurred. UBH further objects to the extent this Request is duplicative of other Requests, including Request Nos. 20, 24, 78, 80, 83, 84, and 85, among others. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

REQUEST NO. 89:

All documents relating to Your process and procedures for responding to patients who have reported receiving balance bills from OON mental health / behavioral health providers from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 89:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably

1 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
 2 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH
 3 further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “all
 4 documents” and to the extent it seeks information not related Viant’s OPR pricing for intensive
 5 outpatient programs. UBH also objects to the extent this Request seeks documents outside the time
 6 period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

7 Subject to and without waiving the General Objections, the Objections to Definitions and
 8 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 9 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 10 provided.

11 **REQUEST NO. 90:**

12 All documents, other than those specifically prepared for or in response to litigation, relating
 13 to legal or regulatory concerns relating to Viant OPR and/or OON outpatient and Facility R&C from
 14 January 1, 2015 to present.

15 **RESPONSE TO REQUEST NO. 90:**

16 UBH hereby incorporates its General Objections and Objections to Definitions and
 17 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 18 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 19 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
 20 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH
 21 further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “all
 22 documents” and to the extent the Request is not limited to documents related to Viant’s OPR pricing
 23 for intensive outpatient programs. UBH further objects to this Request on the grounds that it seeks
 24 information which is subject to a claim of privilege or which is otherwise protected from disclosure
 25 by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

26 Subject to and without waiving the General Objections, the Objections to Definitions and
 27 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 28 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to

1 identify non-privileged documents in its possession, custody, and control that are responsive to this
2 Request.

3 **REQUEST NO. 91:**

4 Complete copies of the outbound EDI files sent by United to MultiPlan that contain the claims
5 of LD, DB, BW, RH, and CJ identified in the Complaint sent as part of a regular batch process.

6 **RESPONSE TO REQUEST NO. 91:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH objects to this Request as seeking information
9 outside its possession, custody, and control, to the extent that this Request seeks information from a
10 “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks
11 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
12 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
13 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
14 Request as overly broad and unduly burdensome on the ground that it seeks “complete copies of the
15 outbound EDI files” and to the extent the Request is not limited to documents related to Viant’s OPR
16 pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks
17 information outside of UBH’s possession, custody, and control, including but not limited to any
18 documents that may be in the possession of MultiPlan but not UBH.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
21 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
22 identify non-privileged documents in its possession, custody, and control that are responsive to this
23 Request.

24 **REQUEST NO. 92:**

25 Complete copies of the inbound EDT files received by United from MultiPlan that contain the
26 claims of LD, DB, BW, RH, and CJ identified in the Complaint sent as part of a regular batch
27 process.
28

RESPONSE TO REQUEST NO. 92:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “complete copies of the inbound EDI files” and to the extent the Request is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request

REQUEST NO. 93:

Complete copies of the inbound EDT files received by United from MultiPlan that contain the claims of LD, DB, BW, RH, and CJ identified in the Complaint.

RESPONSE TO REQUEST NO. 93:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR

1 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 2 Request on the grounds that it is duplicative of Request No. 92. UBH further objects to this Request
 3 as overly broad and unduly burdensome on the ground that it seeks “complete copies of the inbound
 4 EDI files” and to the extent the Request is not limited to documents related to Viant’s OPR pricing
 5 for intensive outpatient programs. UBH further objects to this Request to the extent it seeks
 6 information outside of UBH’s possession, custody, and control, including but not limited to any
 7 documents that may be in the possession of MultiPlan but not UBH.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
 9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 10 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 11 identify non-privileged documents in its possession, custody, and control that are responsive to this
 12 Request.

13 **REQUEST NO. 94:**

14 Any and all Pricing Statements created by the MultiPlan Client Portal website for the
 15 Plaintiffs’ claims as set forth in the Complaint.

16 **RESPONSE TO REQUEST NO. 94:**

17 UBH hereby incorporates its General Objections and Objections to Definitions and
 18 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 19 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 20 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
 21 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH
 22 further objects to this Request on the grounds that it is vague and ambiguous as to the terms “Pricing
 23 Statements” and “MultiPlan Client Portal.” UBH further objects to this Request to the extent it seeks
 24 information outside of UBH’s possession, custody, and control, including but not limited to any
 25 documents that may be in the possession of MultiPlan but not UBH. UBH further objects to this
 26 Request as overbroad and unduly burdensome on the ground that it seeks “any and all Pricing
 27 Statements” And to the extent the Request is not limited to documents related to Viant’s OPR pricing
 28 for intensive outpatient programs.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 3 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 4 identify non-privileged documents in its possession, custody, and control that are responsive to this
 5 Request.

6 **REQUEST NO. 95:**

7 Any and all recordings and transcripts of the verification of benefits calls relative to the
 8 claims of LD, DB, BW, RH, and CJ identified in the Complaint.

9 **RESPONSE TO REQUEST NO. 95:**

10 UBH hereby incorporates its General Objections and Objections to Definitions and
 11 Instructions in their entirety into this response. UBH further objects to this Request on the grounds
 12 that it is overbroad and unduly burdensome including to the extent it seeks “any and all” recordings
 13 and transcripts.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
 15 Instructions, or the foregoing specific objections, UBH will produce documents titled “BH Notes” or
 16 “Case Notes” which reflect the caller, as well as dates, times, and subjects of calls, and will update
 17 this information as appropriate.

18 **REQUEST NO. 96:**

19 Any and all recordings and transcripts of the prior authorization calls relative to the claims of
 20 LD, DB, BW, RH, and CJ identified in the Complaint.

21 **RESPONSE TO REQUEST NO. 96:**

22 UBH hereby incorporates its General Objections and Objections to Definitions and
 23 Instructions in their entirety into this response. UBH further objects to this Request on the grounds
 24 that it is overbroad and unduly burdensome including to the extent that it seeks “any and all”
 25 recordings and transcripts.

26 Subject to and without waiving the General Objections, the Objections to Definitions and
 27 Instructions, or the foregoing specific objections, UBH will produce documents titled “BH Notes” or
 28

1 “Case Notes” which reflect the caller, as well as dates, times, and subjects of calls, and will update
2 this information as appropriate.

3 **REQUEST NO. 97:**

4 Any and all documents pertaining or relating to Summit Estate treatment center in Your
5 possession.

6 **RESPONSE TO REQUEST NO. 97:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH further objects to this Request on the ground
9 that it seeks information not relevant to the claims or defenses of any party and not reasonably
10 calculated to lead to the discovery of admissible evidence, in that it appears to seek information
11 beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. By way
12 of example only, this Action concerns claims brought by members and the related Provider action
13 brought by Summit Estate was dismissed by the Court. UBH objects to this Request on the grounds
14 that it is vague and ambiguous including as to the terms “pertaining to” and “relating to.” UBH
15 further objects to this Request on the grounds that it is overbroad and unduly burdensome including
16 to the extent it seeks “any and all documents” and to the extent the Request is not limited to
17 documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further objects to
18 this Request to the extent it seeks information outside of UBH’s possession, custody, and control,
19 including but not limited to any documents that may be in the possession of MultiPlan but not UBH.
20 UBH also objects to this Request to the extent that it seeks information which is subject to a claim of
21 privilege or which is otherwise protected from disclosure by, including without limitation, the
22 attorney-client privilege or the attorney work product doctrine.

23 Subject to and without waiving the General Objections, the Objections to Definitions and
24 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
25 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
26 identify non-privileged documents in its possession, custody, and control that are responsive to this
27 Request.
28

REQUEST NO. 98:

Any and all recordings and transcripts of telephone calls between Plaintiffs and United, including, but not limited to, calls between Plaintiffs and United's customer service agents.

RESPONSE TO REQUEST NO. 98:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "any and all" recordings and transcripts and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is duplicative of other Requests, including Request No. 95 and 96.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will produce documents titled "BH Notes" or "Case Notes" which reflect the caller, as well as dates, times, and subjects of calls.

REQUEST NO. 99:

Any and all recordings and transcripts of telephone calls between Summit Estate treatment center and United, including, but not limited to, calls between Plaintiffs' Providers and United's customer service agents.

RESPONSE TO REQUEST NO. 99:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead

1 to the discovery of admissible evidence, to the extent it seeks information about claims other than
 2 out-of-network claims for intensive outpatient programs for which reimbursement rates were
 3 calculated using Viant's OPR product. By way of example only, the Request seeks information about
 4 telephone calls that are not limited to claims and allegations related to Viant's pricing methods for
 5 intensive outpatient programs. Moreover, this Action concerns claims brought by members and the
 6 related Provider action brought by Summit Estate was dismissed by the Court. UBH further objects
 7 to this Request on the grounds that it is vague and ambiguous as to the terms "recordings,"
 8 "transcripts," "Providers," and "customer service agents." UBH further objects to this Request on the
 9 grounds that it is overbroad and unduly burdensome including to the extent that it seeks "any and all"
 10 recordings and transcripts and to the extent the Request is not limited to documents related to Viant's
 11 OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is
 12 duplicative of other Requests, including Request Nos. 95, 96, and 97.

13 Subject to and without waiving the General Objections, the Objections to Definitions and
 14 Instructions, or the foregoing specific objections UBH will produce documents titled "BH Notes" or
 15 "Case Notes" which reflect the caller, as well as dates, times, and subjects of calls.

16 **REQUEST NO. 100:**

17 Any and all recordings of telephone calls or documents relating to any appeals of Plaintiffs
 18 claims in United's possession, custody, or control.

19 **RESPONSE TO REQUEST NO. 100:**

20 UBH hereby incorporates its General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 22 outside its possession, custody, and control, to the extent that this Request seeks information from a
 23 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 24 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 25 to the discovery of admissible evidence, to the extent it seeks information about claims other than
 26 out-of-network claims for intensive outpatient programs for which reimbursement rates were
 27 calculated using Viant's OPR product. By way of example only, the Request seeks information about
 28 appeals that are not limited to claims and allegations related to Viant's pricing methods for intensive

1 outpatient programs. UBH further objects to this Request on the grounds that it is vague and
 2 ambiguous as to the terms “recordings” and “appeals.” UBH further objects to this Request on the
 3 grounds that it is overbroad and unduly burdensome including to the extent that it seeks “any and all”
 4 recordings or documents and to the extent the Request is not limited to documents related to Viant’s
 5 OPR pricing for intensive outpatient programs. UBH further objects to the extent this Request is
 6 duplicative of other Requests, including Request Nos. 95, 96, 97, and 98.

7 Subject to and without waiving the General Objections, the Objections to Definitions and
 8 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 9 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 10 identify non-privileged documents in its possession, custody, and control that are responsive to this
 11 Request.

12 **REQUEST NO. 101:**

13 Complete copies of any records for the claims of LD, DB, BW, RH, and CJ identified in the
 14 Complaint submitted by United to MultiPlan using MultiPlan’s Repricing Webservice.

15 **RESPONSE TO REQUEST NO. 101:**

16 UBH hereby incorporates its General Objections and Objections to Definitions and
 17 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 18 outside its possession, custody, and control, to the extent that this Request seeks information from a
 19 “United” entity other than UBH. UBH objects to this Request on the ground that it seeks information
 20 not relevant to the claims or defenses of any party and not reasonably calculated to lead to the
 21 discovery of admissible evidence, to the extent it seeks information about claims other than out-of-
 22 network claims for intensive outpatient programs for which reimbursement rates were calculated
 23 using Viant’s OPR product. UBH objects to this Request on the grounds that it is vague and
 24 ambiguous as to the terms “records,” “claims,” and “Repricing Webservice.” UBH further objects to
 25 this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it
 26 seeks “complete copies” and “any” records regarding broadly defined programs not limited to the
 27 claims and services at issue in this case, and to the extent the Request is not limited to documents
 28 related to Viant’s OPR pricing for intensive outpatient programs.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 102:

For each and every Plaintiff (LD, DB, BW, RH and CJ as identified in the Complaint):

- a. A copy of Your entire claim file. This includes, but is not limited to, all reports and notes regarding the claims, electronic mail messages (e-mails), instant messages, activity logs, correspondence with medical reviewers, and medical reports. This also includes, but is not limited to, all medical records, paper and electronic, including, but not limited to, records of diagnostic tests and lab reports, doctors' notes, nurses' notes, office notes, discharge summaries, medications lists, prognosis, third party records, any correspondence with the claimant, third parties, claim policies, claim handling manual and/or guidelines, CVs of doctors or medical professionals involved in determining claim eligibility, and any other claimant documents;
- b. The applicable health plan and related documents, including the official plan document, the certificate of insurance, and the Summary Plan Description, which were in effect on the dates of service for the claims;
- c. Any statements of policy of guidance or Claims manuals of the Plaintiffs' employers, of United Behavioral Health and its parent and subsidiary companies; any peer review companies; the Plan Administrator; or any of their affiliates with respect to the Plaintiffs' diagnoses. These documents are requested pursuant to 29 C.F.R. § 2560.503-1(m)(8);
- d. The date on which the actual contents of the policy coverage or the Summary Plan Description was made available to plan participants;
- e. The official name of the Employee Benefits Plan and the name and address of the Plan Administrator and the Claim Administrator if not the same as the Plan Administrator;
- f. The name and address of the registered agent for service of process for the Employee Benefits Plan, the Plan Administrator, and the Claim Administrator;

g. A copy of any specific rule, guideline, or protocol relied upon in processing the claims.

h. All appeals or disputes raised or submitted by the member and/or the member's provider and Your response to the appeal or dispute.

i. All communications between You and the member and the member's provider, including all EOBs, PRAs, PAD letters, and any other communications.

RESPONSE TO REQUEST NO. 102:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH objects to this Request on the grounds that it is vague and ambiguous as to the terms "notes," "activity logs," "medical reviewers," "medical reports," "medical records," "doctors' notes," "nurses' notes," "office notes," "third party records," "third parties," "claim handling manual and/or guidelines," "claimant documents," "statements of policy of guidance," "peer review companies," "Employee Benefits Plan," "Plan Administrator," and "Claims Administrator." UBH further objects to this Request on the grounds that it is overbroad and unduly burdensome including to the extent that it seeks "all" or "any" of the requested documents and information regarding broadly defined programs not limited to the claims and services at issue in this case, and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks documents and information outside of UBH's possession, custody, or control, or more reasonably obtained from a party or third party other than UBH. UBH also objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH is willing to produce the following documents

1 for the IOP claims at issue: claim forms, explanations of benefits, appeals correspondence, summary
 2 plan descriptions, BH notes and case notes, and certain call recordings. UBH will meet and confer
 3 with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a
 4 reasonable search protocol to identify non-privileged documents in its possession, custody, and
 5 control that are responsive to this Request.

6 **REQUEST NO. 103:**

7 Any and all documents to or from Dale White pertaining to the claims at issue in this action
 8 including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR
 9 Health from January 1, 2015, to present.

10 **RESPONSE TO REQUEST NO. 103:**

11 UBH hereby incorporates its General Objections and Objections to Definitions and
 12 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 13 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 14 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
 15 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
 16 calculated using Viant's OPR product. UBH further objects to this Request as overly broad and
 17 unduly burdensome on the ground that it seeks "any and all documents" to the extent the Request is
 18 not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH
 19 further objects to this Request to the extent it seeks information outside of UBH's possession,
 20 custody, and control, including but not limited to any documents that may be in the possession of
 21 MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the
 22 time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

23 Subject to and without waiving the General Objections, the Objections to Definitions and
 24 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 25 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 26 identify non-privileged documents in its possession, custody, and control that are responsive to this
 27 Request.

REQUEST NO. 104:

Any and all documents to or from Mark Tabak pertaining to the claims at issue in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 104:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 105:

Any and all documents to or from Michael Ferrante pertaining to the claims at issue in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 105:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 106:

Any and all documents to or from Mark Edwards pertaining to the claims at issue in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 106:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were

1 calculated using Viant's OPR product. UBH further objects to this Request as overly broad and
 2 unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request
 3 is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH
 4 further objects to this Request to the extent it seeks information outside of UBH's possession,
 5 custody, and control, including but not limited to any documents that may be in the possession of
 6 MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the
 7 time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
 9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 10 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 11 identify non-privileged documents in its possession, custody, and control that are responsive to this
 12 Request.

13 **REQUEST NO. 107:**

14 Any and all documents to or from Tina Smith pertaining to the claims at issue in this action
 15 including OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to
 16 present.

17 **RESPONSE TO REQUEST NO. 107:**

18 UBH hereby incorporates its General Objections and Objections to Definitions and
 19 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 20 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 21 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
 22 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
 23 calculated using Viant's OPR product. UBH further objects to this Request as overly broad and
 24 unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request
 25 is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH
 26 further objects to this Request to the extent it seeks information outside of UBH's possession,
 27 custody, and control, including but not limited to any documents that may be in the possession of
 28

MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 108:

Any and all documents to or from Susan Mohler pertaining to the claims at issue in this action including OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 108:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to

1 identify non-privileged documents in its possession, custody, and control that are responsive to this
2 Request.

3 **REQUEST NO. 109:**

4 Any and all documents to or from Bill Ginther pertaining to the claims at issue in this action
5 including OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to
6 present.

7 **RESPONSE TO REQUEST NO. 109:**

8 UBH hereby incorporates its General Objections and Objections to Definitions and
9 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
10 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
11 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
12 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
13 calculated using Viant's OPR product. UBH further objects to this Request as overly broad and
14 unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request
15 is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH
16 further objects to this Request to the extent it seeks information outside of UBH's possession,
17 custody, and control, including but not limited to any documents that may be in the possession of
18 MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the
19 time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

20 Subject to and without waiving the General Objections, the Objections to Definitions and
21 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
22 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
23 identify non-privileged documents in its possession, custody, and control that are responsive to this
24 Request.

25 **REQUEST NO. 110:**

26 Any and all documents to or from Emma Johnson pertaining to the claims at issue in this
27 action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and
28 FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 110:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 111:

Any and all documents to or from Mike McEttrick pertaining to the claims at issue in this action including OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 111:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were

1 calculated using Viant’s OPR product. UBH further objects to this Request as overly broad and
 2 unduly burdensome on the ground that it seeks “any and all documents” and to the extent the Request
 3 is not limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH
 4 further objects to this Request to the extent it seeks information outside of UBH’s possession,
 5 custody, and control, including but not limited to any documents that may be in the possession of
 6 MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the
 7 time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
 9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 10 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 11 identify non-privileged documents in its possession, custody, and control that are responsive to this
 12 Request.

13 **REQUEST NO. 112:**

14 Any and all documents to or from Sean Crandell pertaining to the claims at issue in this action
 15 including OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to
 16 present.

17 **RESPONSE TO REQUEST NO. 112:**

18 UBH hereby incorporates its General Objections and Objections to Definitions and
 19 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 20 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 21 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
 22 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
 23 calculated using Viant’s OPR product. UBH objects to this Request as overly broad and unduly
 24 burdensome on the ground that it seeks “any and all documents” and to the extent the Request is not
 25 limited to documents related to Viant’s OPR pricing for intensive outpatient programs. UBH further
 26 objects to this Request to the extent it seeks information outside of UBH’s possession, custody, and
 27 control, including but not limited to any documents that may be in the possession of MultiPlan but
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not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 113:

Any and all documents to or from Ben Fuchsen pertaining to the claims at issue in this action including OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 113:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to

1 identify non-privileged documents in its possession, custody, and control that are responsive to this
2 Request.

3 **REQUEST NO. 114:**

4 Any and all documents to or from Jacqueline Kienzle pertaining to the claims at issue in this
5 action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and
6 FAIR Health from January 1, 2015, to present.

7 **RESPONSE TO REQUEST NO. 114:**

8 UBH hereby incorporates its General Objections and Objections to Definitions and
9 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
10 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
11 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
12 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
13 calculated using Viant's OPR product. UBH objects to this Request as overly broad and unduly
14 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
15 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further
16 objects to this Request to the extent it seeks information outside of UBH's possession, custody, and
17 control, including but not limited to any documents that may be in the possession of MultiPlan but
18 not UBH. UBH also objects to the extent this Request seeks documents outside the time period
19 properly subject to discovery for Plaintiffs' claims and allegations in this case.

20 Subject to and without waiving the General Objections, the Objections to Definitions and
21 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
22 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
23 identify non-privileged documents in its possession, custody, and control that are responsive to this
24 Request.

25 **REQUEST NO. 115:**

26 Any and all documents to or from Kim Dugan pertaining to the claims in this action including
27 the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from
28 January 1, 2015, to present.

RESPONSE TO REQUEST NO. 115:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 116:

Any and all documents for which Rebecca Paradise was the custodian pertaining to the claims in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 116:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were

1 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
 2 outside its possession, custody, and control, to the extent that this Request seeks information from a
 3 "United" entity other than UBH. UBH objects to this Request as overly broad and unduly
 4 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
 5 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
 6 objects to the extent this Request seeks documents outside the time period properly subject to
 7 discovery for Plaintiffs' claims and allegations in this case.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
 9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 10 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 11 identify non-privileged documents in its possession, custody, and control that are responsive to this
 12 Request.

13 **REQUEST NO. 117:**

14 Any and all documents for which Radames (Ray) Lopez was the custodian pertaining to the
 15 claims in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant
 16 OPR, and FAIR Health from January 1, 2015, to present.

17 **RESPONSE TO REQUEST NO. 117:**

18 UBH hereby incorporates its General Objections and Objections to Definitions and
 19 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 20 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 21 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
 22 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
 23 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
 24 outside its possession, custody, and control, to the extent that this Request seeks information from a
 25 "United" entity other than UBH. UBH objects to this Request as overly broad and unduly
 26 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
 27 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
 28

objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 118:

Any and all documents for which Sarah Peterson was the custodian pertaining to the claims in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 118:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to

1 identify non-privileged documents in its possession, custody, and control that are responsive to this
2 Request.

3 **REQUEST NO. 119:**

4 Any and all documents for which Jolene Bradley was the custodian pertaining to the claims in
5 this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR,
6 and FAIR Health from January 1, 2015, to present.

7 **RESPONSE TO REQUEST NO. 119:**

8 UBH hereby incorporates its General Objections and Objections to Definitions and
9 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
10 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
11 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
12 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
13 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
14 outside its possession, custody, and control, to the extent that this Request seeks information from a
15 "United" entity other than UBH. UBH further objects to this Request as overly broad and unduly
16 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
17 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
18 objects to the extent this Request seeks documents outside the time period properly subject to
19 discovery for Plaintiffs' claims and allegations in this case.

20 Subject to and without waiving the General Objections, the Objections to Definitions and
21 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
22 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
23 identify non-privileged documents in its possession, custody, and control that are responsive to this
24 Request.

25 **REQUEST NO. 120:**

26 Any and all documents for which Kelly Valentine was the custodian pertaining to the claims
27 in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR,
28 and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 120:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 121:

Any and all documents for which Marie Rickmyer was the custodian pertaining to the claims in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 121:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were

1 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
2 outside its possession, custody, and control, to the extent that this Request seeks information from a
3 "United" entity other than UBH. UBH further objects to this Request as overly broad and unduly
4 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
5 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
6 objects to the extent this Request seeks documents outside the time period properly subject to
7 discovery for Plaintiffs' claims and allegations in this case.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
10 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
11 identify non-privileged documents in its possession, custody, and control that are responsive to this
12 Request.

13 **REQUEST NO. 122:**

14 Any and all documents for which Lisa LaMaster was the custodian pertaining to the claims in
15 this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR,
16 and FAIR Health from January 1, 2015, to present.

17 **RESPONSE TO REQUEST NO. 122:**

18 UBH hereby incorporates its General Objections and Objections to Definitions and
19 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
20 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
21 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
22 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
23 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
24 outside its possession, custody, and control, to the extent that this Request seeks information from a
25 "United" entity other than UBH. UBH further objects to this Request as overly broad and unduly
26 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
27 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
28

1 objects to the extent this Request seeks documents outside the time period properly subject to
2 discovery for Plaintiffs' claims and allegations in this case.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
5 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
6 identify non-privileged documents in its possession, custody, and control that are responsive to this
7 Request.

8 **REQUEST NO. 123:**

9 Any and all documents for which Jacqueline Buccini was the custodian pertaining to the
10 claims in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant
11 OPR, and FAIR Health from January 1, 2015, to present.

12 **RESPONSE TO REQUEST NO. 123:**

13 UBH hereby incorporates its General Objections and Objections to Definitions and
14 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
15 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
16 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
17 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
18 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
19 outside its possession, custody, and control, to the extent that this Request seeks information from a
20 "United" entity other than UBH. UBH objects to this Request as overly broad and unduly
21 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
22 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
23 objects to the extent this Request seeks documents outside the time period properly subject to
24 discovery for Plaintiffs' claims and allegations in this case.

25 Subject to and without waiving the General Objections, the Objections to Definitions and
26 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
27 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
28

1 identify non-privileged documents in its possession, custody, and control that are responsive to this
2 Request.

3 **REQUEST NO. 124:**

4 Any and all documents for which Carolyn Larson was the custodian pertaining to the claims
5 in this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR,
6 and FAIR Health from January 1, 2015, to present.

7 **RESPONSE TO REQUEST NO. 124:**

8 UBH hereby incorporates its General Objections and Objections to Definitions and
9 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
10 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
11 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
12 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
13 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
14 outside its possession, custody, and control, to the extent that this Request seeks information from a
15 "United" entity other than UBH. UBH further objects to this Request as overly broad and unduly
16 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
17 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
18 objects to the extent this Request seeks documents outside the time period properly subject to
19 discovery for Plaintiffs' claims and allegations in this case.

20 Subject to and without waiving the General Objections, the Objections to Definitions and
21 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
22 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
23 identify non-privileged documents in its possession, custody, and control that are responsive to this
24 Request.

25 **REQUEST NO. 125:**

26 Any and all documents for which John Haben was the custodian pertaining to the claims in
27 this action including the Network Access Agreement, OON outpatient, Facility R&C, Viant OPR,
28 and/or FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 125:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to identify non-privileged documents in its possession, custody, and control that are responsive to this Request.

REQUEST NO. 126:

Any and all documents for which Patricia Olson pertaining to the claims in this action including the Network Access Agreement, OON outpatient, OON outpatient, Facility R&C, Viant OPR, and FAIR Health from January 1, 2015, to present.

RESPONSE TO REQUEST NO. 126:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were

1 calculated using Viant's OPR product. UBH further objects to this Request as seeking information
2 outside its possession, custody, and control, to the extent that this Request seeks information from a
3 "United" entity other than UBH. UBH objects to this Request as overly broad and unduly
4 burdensome on the ground that it seeks "any and all documents" and to the extent the Request is not
5 limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH also
6 objects to the extent this Request seeks documents outside the time period properly subject to
7 discovery for Plaintiffs' claims and allegations in this case.

8 Subject to and without waiving the General Objections, the Objections to Definitions and
9 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
10 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
11 identify non-privileged documents in its possession, custody, and control that are responsive to this
12 Request.

13 **REQUEST NO. 127:**

14 For the period January 1, 2015, to present, any and all policy and procedure manuals or
15 similar documents pertaining or relating to the verification of member benefits for out of network
16 mental/behavioral health claims in effect on the dates Plaintiffs received services as set forth in the
17 Complaint.

18 **RESPONSE TO REQUEST NO. 127:**

19 UBH hereby incorporates its General Objections and Objections to Definitions and
20 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
21 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
22 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
23 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
24 calculated using Viant's OPR product. UBH further objects to this Request as overly broad and
25 unduly burdensome on the ground that it seeks "any and all policy and procedure manuals or similar
26 documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing
27 for intensive outpatient programs. UBH further objects to the Request as vague and ambiguous. By
28 way of example only, the Request is vague and ambiguous because the phrase "similar documents" is

undefined. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case and to the extent this Request seeks documents and information outside of UBH's possession, custody, or control.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will produce Plaintiffs' Summary Plan Descriptions and will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 128:

Any and all policy and procedure manuals or similar documents pertaining or relating to the authorization of member benefits for out of network mental/behavioral health claims in effect on the dates Plaintiffs received services as set forth in the Complaint.

RESPONSE TO REQUEST NO. 128:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all policy and procedure manuals or similar documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to the Request as vague and ambiguous. By way of example only, the Request is vague and ambiguous because the phrase "similar documents" is undefined. UBH further objects to this Request to the extent it is duplicative of other Requests including Request Nos. 129 and 130. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss

1 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
2 provided.

3 **REQUEST NO. 129:**

4 Any and all internal training manuals or similar documents pertaining or relating to the
5 verification of member benefits for out of network mental/behavioral health claims in effect on the
6 dates Plaintiffs received services as set forth in the Complaint.

7 **RESPONSE TO REQUEST NO. 129:**

8 UBH hereby incorporates its General Objections and Objections to Definitions and
9 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
10 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
11 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
12 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
13 calculated using Viant's OPR product. UBH further objects to this Request as overly broad and
14 unduly burdensome on the ground that it seeks "any and all internal training manuals or similar
15 documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing
16 for intensive outpatient programs. UBH further objects UBH further objects to the Request as vague
17 and ambiguous. By way of example only, the Request is vague and ambiguous because the phrase
18 "similar documents" is undefined. UBH further objects to this Request to the extent it is duplicative
19 of other Requests including Request Nos. 128 and 130. UBH also objects to the extent this Request
20 seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and
21 allegations in this case.

22 Subject to and without waiving the General Objections, the Objections to Definitions and
23 Instructions, or the foregoing specific objections, will meet and confer with Plaintiffs to discuss what
24 documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
25 provided.

26 **REQUEST NO. 130:**

27

28

Any and all internal manuals or similar documents pertaining or relating to the authorization of member benefits for out of network mental/behavioral health claims in effect on the dates Plaintiffs received services as set forth in the Complaint.

RESPONSE TO REQUEST NO. 130:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all internal manuals or similar documents" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH further objects to the Request as vague and ambiguous. By way of example only, the Request is vague and ambiguous because the phrase "similar documents" is undefined. UBH further objects to this Request to the extent it is duplicative of other Requests including Request Nos. 128 and 129. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 131:

Produce all documents and internal correspondence related to United's internal Project resulting in the creation of Naviguard.

RESPONSE TO REQUEST NO. 131:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information

outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. UBH further objects to this Request as overly broad and unduly burdensome to the extent it seeks information not related Viant’s OPR pricing for intensive outpatient programs. UBH further objects to the Request to the extent it seeks information regarding Naviguard that is not relevant to Plaintiffs’ claims and allegations in this case. UBH also objects to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine, and to the extent it seeks trade secrets or proprietary or confidential business information. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

REQUEST NO. 132:

Produce all documents, presentations and correspondence relating to the internal Project culminating in United’s June 2021 statement to the public that it would no longer provide OON coverage for non-emergent, non-hospital and non-network facility-based services.

RESPONSE TO REQUEST NO. 132:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a “United” entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. By way of example only, this Requests seeks irrelevant

information because by its terms it applies to facility services outside of the service area and therefore should not apply to outpatient services for which one would need to be near his or her home. UBH objects to this Request as overly broad and unduly burdensome to the extent it seeks information not related Viant's OPR pricing for intensive outpatient programs. UBH also objects to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

REQUEST NO. 133:

Produce a report showing all actions taken by United relating to the collection of ESI and documents responsive to Plaintiffs' requests contained herein.

RESPONSE TO REQUEST NO. 133:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request as seeking information outside its possession, custody, and control, to the extent that this Request seeks information from a "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH to produce a "report" specifically for this litigation beyond what is required by the Federal Rules. UBH further objects to this Request as vague and ambiguous, particularly with respect to the phrase "all actions taken." UBH further objects to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 3 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 4 provided.

5 **REQUEST NO. 134:**

6 Produce a report showing all procedures, software, and search terms used to filter or cull ESI
 7 for production to Plaintiffs.

8 **RESPONSE TO REQUEST NO. 134:**

9 UBH hereby incorporates its General Objections and Objections to Definitions and
 10 Instructions in their entirety into this response. UBH objects to this Request on the ground that it
 11 seeks information not relevant to the claims or defenses of any party and not reasonably calculated to
 12 lead to the discovery of admissible evidence, to the extent it seeks information about claims other
 13 than out-of-network claims for intensive outpatient programs for which reimbursement rates were
 14 calculated using Viant's OPR product. UBH further objects to this Request as overly broad and
 15 unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome
 16 to the extent it purports to require UBH to produce a "report" specifically for this litigation beyond
 17 what is required by the Federal Rules. UBH further objects to this Request on the grounds that it
 18 seeks information which is subject to a claim of privilege or which is otherwise protected from
 19 disclosure by, including without limitation, the attorney-client privilege or the attorney work product
 20 doctrine.

21 Subject to and without waiving the General Objections, the Objections to Definitions and
 22 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
 23 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
 24 provided.

25 **REQUEST NO. 135:**

26 Produce a report showing all databases and other systems used to produce the information
 27 requested herein.

28 **RESPONSE TO REQUEST NO. 135:**

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH to produce a "report" specifically for this litigation containing "all" databases and systems within a broadly-defined category and beyond what is required by the Federal Rules. UBH also objects to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be provided.

REQUEST NO. 136:

Produce any and all ESI or event data records that involves the Plaintiffs or their healthcare providers including:

- a. Email communications;
- b. Computer applications or programs such as customer order forms or customer service forms;
- c. Instant messaging;
- d. Short Message Service (SMS) systems;
- e. Work phone, home phone, cell phone, or pager records;
- f. Voicemail systems;
- g. IVR systems and recordings therefrom;
- h. Any data reflecting Plaintiffs' claims;

- i. Any data reflecting claims submission from United;
- j. Word processing systems, spreadsheet, and database systems;
- k. System history files;
- l. Claims tracking databases;
- m. E-mail tracking databases;
- n. Member databases;
- o. Calendar systems;
- p. Intranet systems used or accessed that relate to MultiPlan;

RESPONSE TO REQUEST NO. 136:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. By way of example only, this requests seeks information and documents that involves Plaintiffs' healthcare providers but this Action concerns claims brought by members and the related Provider action brought by Summit Estate was dismissed by the Court. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all ESI or event data records" and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive outpatient programs. UBH objects to this Request to the extent it is duplicative of Request No. 134 and other Requests. UBH also objects to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH further objects to this Request to the extent it seeks information outside of UBH's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan but not UBH.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss

1 what documents Plaintiffs seek through this Request and to develop a reasonable search protocol to
 2 identify non-privileged documents in its possession, custody, and control that are responsive to this
 3 Request.

4 **REQUEST NO. 137:**

5 Any and all documents relating to the retention, collection, and production of documents
 6 (electronic and physical) related to Plaintiffs' litigation:

- 7 a. Scope of the Litigation hold;
- 8 b. Steps taken by United to advise their employees, including, but not limited to, "Key
 9 Custodians" with respect to the facts underlying the litigation, and information systems personnel, of
 10 the substantive principles governing
- 11 c. Collection of ESI and documents responsive to Plaintiffs' document requests;
- 12 d. Procedures, software, and search terms used to filter or cull ESI for production to
 13 Plaintiffs;
- 14 e. Databases used to produce the information demanded by Plaintiffs' Discovery
 15 Demands;
- 16 f. United's archival and backup systems, including those onsite, offsite and maintained
 17 by third party vendors;
- 18 g. United's document retention policies.

19 **RESPONSE TO REQUEST NO. 137:**

20 UBH hereby incorporates its General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH objects to this Request as seeking information
 22 outside its possession, custody, and control, to the extent that this Request seeks information from a
 23 "United" entity other than UBH. UBH further objects to this Request on the ground that it seeks
 24 information not relevant to the claims or defenses of any party and not reasonably calculated to lead
 25 to the discovery of admissible evidence, in that it appears to seek information beyond the Viant OPR
 26 data used to price IOP services that Plaintiffs challenge in this case. UBH further objects to this
 27 Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents"
 28 and to the extent the Request is not limited to documents related to Viant's OPR pricing for intensive

1 outpatient programs. UBH objects to this Request on the grounds that it seeks information which is
2 subject to a claim of privilege or which is otherwise protected from disclosure by, including without
3 limitation, the attorney-client privilege or the attorney work product doctrine.

4 Subject to and without waiving the General Objections, the Objections to Definitions and
5 Instructions, or the foregoing specific objections, UBH will meet and confer with Plaintiffs to discuss
6 what documents Plaintiffs seek through this Request and what documents, if any, can reasonably be
7 provided.

8
9 Dated: August 27, 2021

10 GIBSON, DUNN & CRUTCHER LLP

11
12 By: /s/ Geoffrey M. Sigler
13 Geoffrey Sigler (admitted *pro hac vice*)
14 Lauren M. Blas
Nicole R. Matthews

15 Attorney for Defendant UNITED BEHAVIORAL
16 HEALTH
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CERTIFICATE OF SERVICE

I, hereby certify that on this 27th day of August 2021, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

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UNITED BEHAVIORAL HEALTH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH, a
California Corporation, and MULTIPLAN
INC., a New York corporation,

Defendants.

CASE NO. 4:20-cv-02254

**DEFENDANT UNITED BEHAVIORAL
HEALTH'S RESPONSES AND
OBJECTIONS TO PLAINTIFFS' SECOND
SET OF REQUESTS FOR PRODUCTION**

PROPOUNDING PARTY: LD, DB, BW, RH and CJ

RESPONDING PARTY: UNITED BEHAVIORAL HEALTH

SET NUMBER: Two

PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendant United Behavioral Health (“UBH”) responds to Plaintiffs’ Second Set of Requests for Production of Documents (the “Requests” and each individual “Request”). Pursuant to Federal Rule of Civil Procedure 34(b)(2)(B), UBH will continue the rolling production of documents UBH has agreed to produce, as described in the responses below. However, meeting this target will depend on prompt and reasonable resolution of the objections and other issues set out below, through a meet-and-confer that should be scheduled shortly after Plaintiffs’ counsel have had an opportunity to review these responses. UBH reserves the right to amend, supplement, and correct its objections or responses as necessary.

GENERAL OBJECTIONS

1. UBH objects to each and every Request, Definition, and Instruction to the extent it purports to impose obligations on UBH greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United States District Court for the Northern District of California (“Local Rules”), or the Parties’ anticipated ESI Protocol.

2. UBH objects to each and every Request, Definition, and Instruction as overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA, and therefore discovery should generally be limited to the administrative record for the claims at issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

3. UBH objects to each and every Request, Definition, and Instruction to the extent that it seeks information that is exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection.

4. UBH objects to each and every Request, Definition, and Instruction as overly broad to the extent it seeks information not relevant to the claims or defenses of any party, or information disproportionate to the needs of the case and of such marginal relevance that its probative value is

1 substantially outweighed by the burden imposed on UBH in having to search for and provide such
2 information.

3 5. UBH objects to each and every Request, Definition, and Instruction to the extent that
4 it seeks proprietary or other confidential information. To the extent any confidential health
5 information or other sensitive or protected business information is non-privileged and responsive to
6 the Requests for Production of Documents and not otherwise objectionable, UBH will provide such
7 information pursuant to the protections stipulated in the Parties' protective order and in accordance
8 with such other procedures as the Parties or Court may establish to protect sensitive or confidential
9 information. UBH also reserves the right to redact discrete categories of especially sensitive
10 information that are not directly relevant to the issues in this case.

11 6. UBH objects to each and every Request, Definition, and Instruction to the extent that
12 the documents requested are already in Plaintiffs' possession or are available to Plaintiffs from
13 another source that is more convenient, less burdensome, or less expensive.

14 7. UBH objects to each and every Request, Definition, and Instruction to the extent it
15 calls for production of documents or electronic information that would be unduly burdensome.

16 8. UBH objects to each and every Request, Definition, and Instruction to the extent it
17 calls for production of electronic information that is not reasonably accessible, including any
18 archived data or backup tapes that would be unduly burdensome to search or restore.

19 9. UBH objects to each and every Request, Definition, and Instruction to the extent that
20 it implicates the privacy interests of third parties established by law, contract, or custom. This
21 includes, but is not limited to, information covered by the Health Insurance Portability and
22 Accountability Act, and in particular sensitive health information regarding the mental health and
23 substance abuse conditions and treatments of participants and beneficiaries who are not named
24 Plaintiffs in this case. To the extent any confidential health information is non-privileged and
25 responsive to the Requests and not otherwise objectionable, UBH will provide such documents and
26 information pursuant to the Protective Order, and reserves the right to redact identifiers and other
27 patient-specific information as well.

1 10. UBH objects to each and every Request, Definition, and Instruction to the extent that
2 it seeks documents outside of UBH's possession, custody, and control, including to the extent any
3 Requests seek information from a "United" entity other than UBH.

4 11. Nothing contained herein or provided in response to the Requests consists of, or
5 should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence
6 of any alleged facts or information referenced in any Requests. By indicating that it will produce
7 non-objectionable, non-privileged responsive documents, UBH does not make a representation that
8 such documents exist or are in UBH's possession, but only that UBH will conduct the reasonable
9 searches indicated for the documents sought.

10 12. UBH objects to each and every Request, Definition, and Instruction to the extent that
11 it seeks documents outside of the relevant scope of discovery and statute of limitations for this case
12 which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims. *See*
13 *Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238 F.3d
14 1006, 1108 (9th Cir. 2001). In the event that UBH agrees to produce documents outside of the April
15 2, 2016 to present timeframe—the governing statute of limitations in this case—such agreement
16 should be deemed limited to that specific Request and is not to be construed as a waiver or admission
17 of any kind.

18 13. UBH objects to each and every Request, Definition, and Instruction to the extent that
19 it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and significant
20 discovery costs and search burdens on UBH.

21 14. Inadvertent production or identification of documents or communications that are
22 privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with
23 respect to the disclosed documents or communications or any other documents or communications or
24 of the right of UBH to object to the use of any such documents or the subject matter thereof during
25 subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiff will
26 return the documents to UBH and will be precluded from disclosing or relying upon such documents
27 in any way.

1 15. All the General Objections contained herein and Objections to Definitions and
2 Instructions are expressly incorporated into each of the responses set forth below.

3 **OBJECTIONS TO DEFINITIONS**

4 1. UBH objects to Plaintiffs’ definition of “United” (as well as “You” and “Your”) on
5 the ground that it is vague, ambiguous, overly broad and unduly burdensome. In particular, Plaintiffs
6 purport to sweep in various distinct persons and entities through this definition who are not proper
7 parties to this case and not properly subject to discovery. UBH will respond to these Requests for
8 Production of Documents on behalf of United Behavioral Health, which is the named defendant in
9 this case.

10 2. UBH objects to Plaintiffs’ definition of “person” on the ground that it is overly broad
11 and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct persons and
12 entities through this definition who are not proper parties to this case and not properly subject to
13 discovery. UBH will respond to these Requests for Production of Documents on behalf of United
14 Behavioral Health, which is the named defendant in this case.

15 3. UBH objects to Plaintiffs’ definition of “Complaint” on the ground that there is a new
16 operative complaint in this action—the Third Amended Complaint (“TAC”) filed on September 10,
17 2021 (Dkt. 91). UBH will interpret this definition as referring to the TAC.

18 4. UBH objects to Plaintiffs’ definition of “document(s)” to the extent that it seeks to
19 impose obligations on UBH beyond those required by the Federal rules. UBH further objects to this
20 definition to the extent it calls for production of electronic information that is not reasonably
21 accessible, including any archived data or backup tapes that would be unduly burdensome to search
22 or restore. UBH will use the definition of “documents” set out in Federal Rule 34.

23 **OBJECTIONS TO INSTRUCTIONS**

24 1. UBH objects to Plaintiffs’ failure to number the Instructions. For purposes of clarity
25 in responding and objecting to Plaintiffs’ Instructions, UBH has assigned a number to each
26 Instruction based on the Instruction’s paragraph break.

27 2. UBH objects to Plaintiffs’ Instruction 1 as vague, ambiguous, and unduly burdensome
28 because it calls for the production of documents within Plaintiffs’ possession, and not Defendant

UBH. UBH will interpret this Instruction as referring to documents in UBH's possession and not documents in Plaintiffs' possession. UBH further objects to Plaintiffs' Instruction 1 to the extent it seeks documents that are exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or protection.

3. UBH objects to Plaintiffs' Instruction 2 that "these requests refer to the time, place, and circumstances of the occurrence described in the Complaint" to the extent that this Instruction includes periods outside the relevant scope of discovery and statute of limitations for this case which, unless otherwise noted in the specific responses below, is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims. *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); see also *Pincay v. Andrews*, 238 F.3d 1006, 1108 (9th Cir. 2001). UBH also objects to Plaintiffs' Instruction 2 to the extent it seeks documents and information irrelevant to the claims at issue in the Complaint, including to the extent it seeks documents and information irrelevant to IOP services. Plaintiffs' Complaint alleges that Defendants "den[ied] proper payment for the IOP treatment services that Plaintiffs received" and "under-reimburse[d] Plaintiffs' claims for medically necessary IOP services provided to them." *See, e.g., TAC* ¶¶ 4, 28; see also *id.* ¶¶ 447–48 (noting that the alleged harm is limited to "underpa[yment]" of the "IOP claims of the Plaintiffs and the class").

4. UBH objects to Plaintiffs' Instruction 5 that each request "refer to all documents that are either known by Defendant to exist or that can be located or discovered by reasonably diligent efforts of the Defendant" to the extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal Rules. UBH further objects to Instruction 5 to the extent it calls for the production of information outside of UBH's possession, custody, and control and includes documents that may already be in Plaintiffs' possession or are available to Plaintiffs from another source that is more convenient, less burdensome, or less expensive.

5. UBH objects to Plaintiffs' Instruction 6 that each request be deemed "continuing," on the ground that such obligation would be unduly burdensome given the broad scope and number of

1 the requests. UBH further objects to Instruction 6 as vague, ambiguous, and nonsensical on the
2 ground that this Instruction purports to require UBH to “seasonably supplement the production.”

3 6. UBH objects to Plaintiffs’ Instruction 8 to the extent it purports to confer obligations
4 on UBH beyond what the Parties have agreed to in their ESI protocol (e.g. subpart (a)). UBH further
5 objects to Instruction 8 to the extent that this Instruction seeks to impose obligations on UBH beyond
6 those required by the Federal Rules.

7 7. UBH objects to Plaintiffs’ Instruction 9 to the extent it purports to confer obligations
8 beyond what the Parties have agreed to in their ESI protocol (e.g. subparts (a) and (b)). By way of
9 example only, the Parties’ ESI protocol does not reference or call for the maintenance of an “online
10 repository . . . maintained by an independent vendor.” UBH further objects to Instruction 9 to the
11 extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal
12 Rules.

13 8. UBH objects to Plaintiffs’ Instruction 10 to the extent it purports to confer obligations
14 beyond what the Parties have agreed to in their ESI protocol. By way of example only, there is no
15 reference to requirements for hard copy productions in the ESI protocol. UBH further objects to
16 Instruction 10 to the extent that this Instruction seeks to impose obligations on UBH beyond those
17 required by the Federal Rules.

18 9. UBH objects to Plaintiffs’ Instruction 11 to the extent it purports to confer obligations
19 on UBH beyond what the Parties have agreed to in their ESI protocol (e.g., subpart (1)(b)(5)). UBH
20 further objects to Instruction 11 to the extent that this Instruction seeks to impose obligations on UBH
21 beyond those required by the Federal Rules.

22 10. UBH objects to Plaintiffs’ Instruction 12 to the extent it purports to confer obligations
23 on UBH beyond what the Parties have agreed to in their ESI protocol. By way of example only, the
24 Instruction purports to require UBH to “identif[y]” and “enter[] separately” attachments to a
25 document, but the Parties’ ESI protocol states that “[a]ttachments to privileged email messages do not
26 need to be identified on the Privilege Log separately from, or in addition to the privilege email.”
27 UBH further objects to Instruction 12 to the extent that this Instruction seeks to impose obligations on
28 UBH beyond those required by the Federal Rules.

11. UBH objects to Plaintiffs' Instruction 13 to the extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal Rules. UBH further objects to Instruction 13 to the extent the Instruction calls for the information exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or protection

12. UBH objects to Plaintiffs' Instruction 14 to the extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal Rules, including to the extent it purports to require UBH to "ventur[e] beyond the parties to the litigation and include non-parties." UBH further objects to Instruction 14 to the extent the Instruction calls for the information exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or protection.

13. UBH objects to Plaintiffs' Instruction 15 that "any objections as to an alleged burden shall clearly set out the nature of the alleged burden by affidavit or other reliable evidence" to the extent that this Instruction seeks to impose obligations on UBH beyond those required by the Federal Rules.

14. UBH objects to Plaintiffs' Instruction 16 to the extent it requires UBH to "set forth . . . the interpretation that [it] [has] chosen to use in responding to the request." Where a request is ambiguous UBH will provide its interpretation to the extent possible, and otherwise reserves the right to meet and confer.

15. UBH objects to Plaintiffs' Instruction 17 that each request be deemed "continuing in nature" on the ground that such obligation would be unduly burdensome given the broad scope and number of the requests. UBH further objects to Instruction 17 to the extent it is duplicative of Instruction 6.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST NO. 1:

For the period of January 1, 2015 to present, for those United members and/or beneficiaries who had a claim submitted by United or any of its affiliates to MultiPlan, for HCPCS Code H0015, S9480, and/or Revenue Codes 0905/0906, for those claims for which MultiPlan returned a price to

1 United that was calculated by MultiPlan using its Viant OPR methodology, for those members and/or
 2 beneficiaries contained in the aforementioned set; for the three months preceding the initial date of
 3 service for each of those member's Viant priced claims, all claims submitted by or on behalf of those
 4 members to United that include any of the following: Revenue Code 0126, 1002, 0913, 0912;
 5 HCPCS H0010, H0012, H0018, H0019, H2036, S0201¹, produce a spreadsheet report containing:

- 6 • The Claim number
- 7 • The Bill Type (HCFA UB, and Bill Type Code, 131, 111 etc.)
- 8 • Service Dates (to and from)
- 9 • Service zip code
- 10 • Provider Name, address, and TIN
- 11 • Total Charge and Line Data submitted by the Provider
- 12 • Line Number
- 13 • Line Charge
- 14 • Revenue Code
- 15 • Units
- 16 • HCPCS/CPT Codes
- 17 • Any and all Modifiers
- 18 • Any line exclude amounts
- 19 • Any non-covered amounts
- 20 • Any indicators denoting exclusion in whole or in part
- 21 • Any line notes indicating how the line was handled
- 22 • Any diagnosis codes and procedure codes on the claim (e.g. ICD10 codes).
- 23 • Please indicate any edits taken to reduce the claim, any CCI edits, Proprietary edits,
 24 and/or unit reductions.

27
 28 ¹ Revenue Code 0126 and HCPCS H0010/H0012 represent Detox treatment. Revenue Code 1002
 and HCPCS H0018/H0019 represent Residential treatment. Revenue Codes 0912/0913 and
 HCPCS H2036/S0201 represent Partial Hospitalization treatment.

- Identification of the methodology used to price the claim (e.g., Billed Charges, third-party network agreement, Viant, Data iSight, Negotiation, % of CMS, or other method or tool).
- The entity that applied the pricing methodology (e.g. United, MultiPlan, Zelis or other)
- The allowed amount for each claim
- Any “Savings Amount” taken by United off of the provider’s billed charges.
- Any Shared Savings Fees or other fees charged by United as part of an ASA / ASO or other agreement.
- The date the date and amounts withdrawn from each ERISA plan’s trust account associated with the above claims.
- Any other factors applied to the final price such as Override, Caps, Benchmark Pricing, Target Pricing, or Amount Change on Appeal.
- The Fair Health usual and customary benchmark amount for the same time period at the 70th and 80th percentile for each claim responsive to this request.
- Whether any appeals were made as to those claims.
- The additional amount, if any, paid following appeals.
- The final allowed amount.

RESPONSE TO REQUEST NO. 1:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH objects to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, and to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. UBH further objects to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH to “produce” a “spreadsheet report” specifically for this litigation containing “all” claims within a broadly-defined category that includes multiple codes, including HCPCS Code H2036, that have no apparent connection to the IOP services at issue in the

case. Assembling a three-month history for many thousands of claims would be incredibly burdensome and require extensive manual effort to match class member claims to three-month histories that are not in scope for the putative class. Additionally, as the Request acknowledges, Revenue Codes 0126, 1002, 0913, and 0912, and HCPCS H0010, H0012, H0018, H0019, and H2036, S0201, relate to other levels of care not involving the IOP services at issue in this case. Further, as framed the Request appears to seek detailed information about claims and payments not involving Viant's OPR product. This Request also appears to seek numerous specific data fields that are not readily available in the relevant systems of UBH, and that do not appear to be relevant to the issues in this case. UBH also objects to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will continue to meet and confer with Plaintiffs regarding the parameters of a claims data summary for the putative class members' claims involving IOP services priced using Viant's OPR data that can be reasonably be produced by UBH to satisfy this request.

REQUEST NO. 2:

Please produce any and all documents supporting your contention in Paragraph 1 of your Answer wherein You stated United "denies any alleged scheme to underpay valid, medically necessary claims; denies Plaintiffs suffered any legally compensable injury; and denies that Plaintiffs' claims can be properly pursued as a class action as alleged in Paragraph 1."

RESPONSE TO REQUEST NO. 2:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks "any and all documents." UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
 3 produce, if it has not already done so or if such documents have not already been produced by other
 4 parties or third parties, any responsive, non-privileged documents sufficient to support the contention
 5 listed in this Request.

6 **REQUEST NO. 3:**

7 Please produce any and all documents supporting your contention in Paragraph 95 of your
 8 Answer wherein You stated that United “denies that it transitioned to ASAM following a ruling in the
 9 Wit litigation that previous guidelines were “illegal.””

10 **RESPONSE TO REQUEST NO. 3:**

11 UBH hereby incorporates its General Objections and Objections to Definitions and
 12 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 13 that it is premature at this early phase in the case. UBH further objects to this Request as overly
 14 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
 15 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
 16 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
 17 privilege or the attorney work product doctrine.

18 Subject to and without waiving the General Objections, the Objections to Definitions and
 19 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
 20 produce, if it has not already done so or if such documents have not been produced by other parties or
 21 third parties, any responsive, non-privileged documents sufficient to support the contention listed in
 22 this Request.

23 **REQUEST NO. 4:**

24 Please produce any and all documents supporting your contention in Paragraph 491 of your
 25 Answer wherein You stated “UBH denies that Plaintiffs or any putative class is entitled to any of the
 26 relief requested.”

RESPONSE TO REQUEST NO. 4:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the contention listed in this Request.

REQUEST NO. 5:

Please produce any and all documents supporting your contention in Paragraph 491 of your Answer wherein You stated “UBH denies that Plaintiffs or any putative class is entitled to any of the relief requested.”

RESPONSE TO REQUEST NO. 5:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH further objects that this Request is identical to Request No. 4.

1 **REQUEST NO. 6:**

2 Please produce any and all documents supporting your contention in Paragraph 492 of your
3 Answer wherein You stated “UBH denies that Plaintiffs are entitled to any of the relief requested.”

4 **RESPONSE TO REQUEST NO. 6:**

5 UBH hereby incorporates its General Objections and Objections to Definitions and
6 Instructions in their entirety into this response. UBH further objects to this Request on the ground
7 that it is premature at this early phase in the case. UBH further objects to this Request as overly
8 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
9 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
10 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
11 privilege or the attorney work product doctrine.

12 Subject to and without waiving the General Objections, the Objections to Definitions and
13 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
14 produce, if it has not already done so or if such documents have not already been produced by other
15 parties or third parties, any responsive, non-privileged documents sufficient to support the contention
16 listed in this Request.

17 **REQUEST NO. 7:**

18 Please produce any and all documents supporting your First Affirmative Defense (Statutory
19 Compliance).

20 **RESPONSE TO REQUEST NO. 7:**

21 UBH hereby incorporates its General Objections and Objections to Definitions and
22 Instructions in their entirety into this response. UBH further objects to this Request on the ground
23 that it is premature at this early phase in the case. UBH further objects to this Request as overly
24 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
25 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
26 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
27 privilege or the attorney work product doctrine.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
 3 produce, if it has not already done so or if such documents have not already been produced by other
 4 parties or third parties, any responsive and non-privileged documents sufficient to support the defense
 5 listed in this Request.

6 **REQUEST NO. 8:**

7 Please produce any and all documents supporting your Second Affirmative Defense (Full
 8 Contractual Performance).

9 **RESPONSE TO REQUEST NO. 8:**

10 UBH hereby incorporates its General Objections and Objections to Definitions and
 11 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 12 that it is premature at this early phase in the case. UBH further objects to this Request as overly
 13 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
 14 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
 15 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
 16 privilege or the attorney work product doctrine.

17 Subject to and without waiving the General Objections, the Objections to Definitions and
 18 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
 19 produce, if it has not already done so or if such documents have not already been produced by other
 20 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
 21 listed in this Request.

22 **REQUEST NO. 9:**

23 Please produce any and all documents supporting your Third Affirmative Defense (Lack of
 24 Article III Standing).

25 **RESPONSE TO REQUEST NO. 9:**

26 UBH hereby incorporates its General Objections and Objections to Definitions and
 27 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 28 that it is premature at this early phase in the case. UBH further objects to this Request as overly

1 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
 2 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
 3 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
 4 privilege or the attorney work product doctrine.

5 Subject to and without waiving the General Objections, the Objections to Definitions and
 6 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
 7 produce, if it has not already done so or if such documents have not already been produced by other
 8 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
 9 listed in this Request.

10 **REQUEST NO. 10:**

11 Please produce any and all documents supporting your Fourth Affirmative Defense (Redress).

12 **RESPONSE TO REQUEST NO. 10:**

13 UBH hereby incorporates its General Objections and Objections to Definitions and
 14 Instructions in their entirety into this response. UBH further objects to this Request on the ground
 15 that it is premature at this early phase in the case. UBH further objects to this Request as overly
 16 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
 17 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
 18 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
 19 privilege or the attorney work product doctrine.

20 Subject to and without waiving the General Objections, the Objections to Definitions and
 21 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
 22 produce, if it has not already done so or if such documents have not already been produced by other
 23 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
 24 listed in this Request.

25 **REQUEST NO. 11:**

26 Please produce any and all documents supporting your Fifth Affirmative Defense (Improper
 27 Defendant).

RESPONSE TO REQUEST NO. 11:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 12:

Please produce any and all documents supporting your Sixth Affirmative Defense (UBH as Distinct Entity).

RESPONSE TO REQUEST NO. 12:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 13:

Please produce any and all documents supporting your Seventh Affirmative Defense (Exclusive Remedies - ERISA).

RESPONSE TO REQUEST NO. 13:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 14:

Please produce any and all documents supporting your Eighth Affirmative Defense (No Fiduciary Duty).

RESPONSE TO REQUEST NO. 14:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 15:**

9 Please produce any and all documents supporting your Ninth Affirmative Defense
10 (Comparative Fault of Third Parties/No Vicarious Liability).

11 **RESPONSE TO REQUEST NO. 15:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UBH further objects to this Request on the ground
14 that it is premature at this early phase in the case. UBH further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 16:**

25 Please produce any and all documents supporting your Tenth Affirmative Defense (Lack of
26 Causation).

RESPONSE TO REQUEST NO. 16:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 17:

Please produce any and all documents supporting your Eleventh Affirmative Defense (Fraud/Improper Conduct by Third Parties).

RESPONSE TO REQUEST NO. 17:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 18:

Please produce any and all documents supporting your Twelfth Affirmative Defense (Assignment).

RESPONSE TO REQUEST NO. 18:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 19:

Please produce any and all documents supporting your Thirteenth Affirmative Defense (Breach of Contract/Failure to Perform).

RESPONSE TO REQUEST NO. 19:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 20:**

9 Please produce any and all documents supporting your Fourteenth Affirmative Defense (No
10 Exhaustion).

11 **RESPONSE TO REQUEST NO. 20:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UBH further objects to this Request on the ground
14 that it is premature at this early phase in the case. UBH further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 21:**

25 Please produce any and all documents supporting your Fifteenth Affirmative Defense (Set-
26 Off).

RESPONSE TO REQUEST NO. 21:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 22:

Please produce any and all documents supporting your Sixteenth Affirmative Defense (Claims Barred by the Statute of Limitations).

RESPONSE TO REQUEST NO. 22:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3 **REQUEST NO. 23:**

4 Please produce any and all documents supporting your Seventeenth Affirmative Defense
5 (Claims Barred by Contractual Limitations).

6 **RESPONSE TO REQUEST NO. 23:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH further objects to this Request on the ground
9 that it is premature at this early phase in the case. UBH further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
18 listed in this Request.

19 **REQUEST NO. 24:**

20 Please produce any and all documents supporting your Eighteenth Affirmative Defense
21 (Equitable Doctrines).

22 **RESPONSE TO REQUEST NO. 24:**

23 UBH hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UBH further objects to this Request on the ground
25 that it is premature at this early phase in the case. UBH further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 25:**

9 Please produce any and all documents supporting your Nineteenth Affirmative Defense (No
10 Reliance).

11 **RESPONSE TO REQUEST NO. 25:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UBH further objects to this Request on the ground
14 that it is premature at this early phase in the case. UBH further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 26:**

25 Please produce any and all documents supporting your Twentieth Affirmative Defense
26 (Presumed Knowledge).

RESPONSE TO REQUEST NO. 26:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 27:

Please produce any and all documents supporting your Twenty-First Affirmative Defense (No Scierter).

RESPONSE TO REQUEST NO. 27:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3 **REQUEST NO. 28:**

4 Please produce any and all documents supporting your Twenty-Second Affirmative Defense
5 (No Duty to Disclose).

6 **RESPONSE TO REQUEST NO. 28:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH further objects to this Request on the ground
9 that it is premature at this early phase in the case. UBH further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
18 listed in this Request.

19 **REQUEST NO. 29:**

20 Please produce any and all documents supporting your Twenty-Third Affirmative Defense
21 (No Primary Jurisdiction).

22 **RESPONSE TO REQUEST NO. 29:**

23 UBH hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UBH further objects to this Request on the ground
25 that it is premature at this early phase in the case. UBH further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 30:

Please produce any and all documents supporting your Twenty-Fourth Affirmative Defense (No Exclusive Jurisdiction).

RESPONSE TO REQUEST NO. 30:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 31:

Please produce any and all documents supporting your Twenty-Fifth Affirmative Defense (Filed Rate Doctrine).

RESPONSE TO REQUEST NO. 31:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 32:

Please produce any and all documents supporting your Twenty-Sixth Affirmative Defense (Reverse Preemption McCarran-Ferguson Act).

RESPONSE TO REQUEST NO. 32:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3 **REQUEST NO. 33:**

4 Please produce any and all documents supporting your Twenty-Seventh Affirmative Defense
5 (Release).

6 **RESPONSE TO REQUEST NO. 33:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH further objects to this Request on the ground
9 that it is premature at this early phase in the case. UBH further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
18 listed in this Request.

19 **REQUEST NO. 34:**

20 Please produce any and all documents supporting your Twenty-Eighth Affirmative Defense
21 (Constitutional Defenses).

22 **RESPONSE TO REQUEST NO. 34:**

23 UBH hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UBH further objects to this Request on the ground
25 that it is premature at this early phase in the case. UBH further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 35:**

9 Please produce any and all documents supporting your Twenty-Ninth Affirmative Defense
10 (Failure to Mitigate).

11 **RESPONSE TO REQUEST NO. 35:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UBH further objects to this Request on the ground
14 that it is premature at this early phase in the case. UBH further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 36:**

25 Please produce any and all documents supporting your Thirtieth Affirmative Defense
26 (Speculative Damages).

RESPONSE TO REQUEST NO. 36:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 37:

Please produce any and all documents supporting your Thirty-First Affirmative Defense (Adequate Remedy at Law).

RESPONSE TO REQUEST NO. 37:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 38:

Please produce any and all documents supporting your Thirty-Second Affirmative Defense (No Imminent Harm).

RESPONSE TO REQUEST NO. 38:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 39:

Please produce any and all documents supporting your Thirty-Third Affirmative Defense (No Attorneys’ Fees).

RESPONSE TO REQUEST NO. 39:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 40:**

9 Please produce any and all documents supporting your Thirty-Fourth Affirmative Defense
10 (Failure to Meet Particularity).

11 **RESPONSE TO REQUEST NO. 40:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UBH further objects to this Request on the ground
14 that it is premature at this early phase in the case. UBH further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 41:**

25 Please produce any and all documents supporting your Thirty-Fifth Affirmative Defense
26 (Lack of Predicate Act).

RESPONSE TO REQUEST NO. 41:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 42:

Please produce any and all documents supporting your Thirty-Sixth Affirmative Defense (No RICO Conspiracy).

RESPONSE TO REQUEST NO. 42:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3 **REQUEST NO. 43:**

4 Please produce any and all documents supporting your Thirty-Seventh Affirmative Defense
5 (No RICO Enterprise).

6 **RESPONSE TO REQUEST NO. 43:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH further objects to this Request on the ground
9 that it is premature at this early phase in the case. UBH further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
18 listed in this Request.

19 **REQUEST NO. 44:**

20 Please produce any and all documents supporting your Thirty-Eighth Affirmative Defense
21 (No RICO Statutory Standing).

22 **RESPONSE TO REQUEST NO. 44:**

23 UBH hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UBH further objects to this Request on the ground
25 that it is premature at this early phase in the case. UBH further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 45:

Please produce any and all documents supporting your Thirty-Ninth Affirmative Defense (Improperly Joined Plaintiffs).

RESPONSE TO REQUEST NO. 45:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 46:

Please produce any and all documents supporting your Fortieth Affirmative Defense (Class Requirements Not Met).

RESPONSE TO REQUEST NO. 46:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 47:

Please produce any and all documents supporting your Forty-First Affirmative Defense (Improper Expansion of Rule 23).

RESPONSE TO REQUEST NO. 47:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3 **REQUEST NO. 48:**

4 Please produce any and all documents supporting your Forty-Second Affirmative Defense
5 (Fourteenth Amendment).

6 **RESPONSE TO REQUEST NO. 48:**

7 UBH hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH further objects to this Request on the ground
9 that it is premature at this early phase in the case. UBH further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
18 listed in this Request

19 **REQUEST NO. 49:**

20 Please produce any and all documents supporting your Forty-Third Affirmative Defense (Jury
21 Trial).

22 **RESPONSE TO REQUEST NO. 49:**

23 UBH hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UBH further objects to this Request on the ground
25 that it is premature at this early phase in the case. UBH further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 50:**

9 Please produce any and all documents supporting your Forty-Fourth Affirmative Defense
10 (Conflict of Interest).

11 **RESPONSE TO REQUEST NO. 50:**

12 UBH hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UBH further objects to this Request on the ground
14 that it is premature at this early phase in the case. UBH further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 51:**

25 Please produce any and all documents supporting your Forty-Fifth Affirmative Defense (Res
26 Judicata and Collateral Estoppel).

RESPONSE TO REQUEST NO. 51:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 52:

Please produce any and all documents supporting your Forty-Sixth Affirmative Defense (Additional Defenses).

RESPONSE TO REQUEST NO. 52:

UBH hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH further objects to this Request on the ground that it is premature at this early phase in the case. UBH further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UBH further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH responds as follows: UBH will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3
4 Dated: September 27, 2021

5
6 GIBSON, DUNN & CRUTCHER LLP

7
8 By: /s/ Geoffrey M. Sigler
9 Geoffrey Sigler (admitted *pro hac vice*)
Lauren M. Blas
Nicole R. Matthews

10 Attorney for Defendant UNITED BEHAVIORAL
11 HEALTH
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CERTIFICATE OF SERVICE

I, hereby certify that on this 27th day of September 2021, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

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Attorneys for Defendant
UNITED BEHAVIORAL HEALTH and
UNITED HEALTHCARE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

LD, DB, BW, RH and CJ, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

UNITED HEALTHCARE INSURANCE
COMPANY, a Connecticut Corporation,
UNITED BEHAVIORAL HEALTH, a
California Corporation, and MULTIPLAN
INC., a New York corporation,

Defendants.

CASE NO. 4:20-cv-02254

**DEFENDANT UNITED BEHAVIORAL
HEALTH'S AND UNITED HEALTHCARE
INSURANCE COMPANY'S RESPONSES
AND OBJECTIONS TO PLAINTIFF'S
THIRD SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS**

PROPOUNDING PARTY: LD, DB, BW, RH and CJ

RESPONDING PARTY: UNITED BEHAVIORAL HEALTH and UNITED
HEALTHCARE INSURANCE CO.

SET NUMBER: Three (3)

PRELIMINARY STATEMENT

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the Northern District of California, Defendant United Behavioral Health (“UBH”) and United Healthcare Insurance Co. (“UHC”) respond to Plaintiffs’ Third Set of Requests for Production of Documents (the “Requests” and each individual “Request”). Pursuant to Federal Rule of Civil Procedure 34(b)(2)(B), UBH and UHC will continue the rolling production of documents UBH and UHC have agreed to produce, as described in the responses below. However, meeting this target will depend on prompt and reasonable resolution of the objections and other issues set out below, through a meet-and-confer that should be scheduled shortly after Plaintiffs’ counsel have had an opportunity to review these responses. UBH and UHC reserve the right to amend, supplement, and correct its objections or responses as necessary. UBH and UHC further note that Plaintiffs have now served 282 requests for production on UBH and UHC.

GENERAL OBJECTIONS

1. UBH and UHC object to each and every Request, Definition, and Instruction to the extent it purports to impose obligations on UBH and UHC greater than or beyond those required under the Federal Rules of Civil Procedure (“Federal Rules”), and the Local Civil Rules of the United States District Court for the Northern District of California (“Local Rules”), or the Parties’ anticipated ESI Protocol.

2. UBH and UHC object to each and every Request, Definition, and Instruction as overly broad to the extent it seeks discovery on merits issues outside the scope of the administrative record for the claims at issue in this case. Plaintiffs’ case involves claims for benefits under ERISA, and therefore discovery should generally be limited to the administrative record for the claims at issue. *See Firestone Tire & Rubber Co. v. Bruch*, 489 U.S. 101 (1989).

3. UBH and UHC object to each and every Request, Definition, and Instruction to the extent that it seeks information that is exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine, or protection.

1 4. UBH and UHC object to each and every Request, Definition, and Instruction as overly
2 broad to the extent it seeks information not relevant to the claims or defenses of any party, or
3 information disproportionate to the needs of the case and of such marginal relevance that its probative
4 value is substantially outweighed by the burden imposed on UBH and UHC in having to search for
5 and provide such information.

6 5. UBH and UHC object to each and every Request, Definition, and Instruction to the
7 extent that it seeks proprietary or other confidential information. To the extent any confidential
8 health information or other sensitive or protected business information is non-privileged and
9 responsive to the Requests for Production of Documents and not otherwise objectionable, UBH and
10 UHC will provide such information pursuant to the protections stipulated in the Parties' protective
11 order and in accordance with such other procedures as the Parties or Court may establish to protect
12 sensitive or confidential information. UBH and UHC also reserve the right to redact discrete
13 categories of especially sensitive information that are not directly relevant to the issues in this case.

14 6. UBH and UHC object to each and every Request, Definition, and Instruction to the
15 extent that the documents requested are already in Plaintiffs' possession or are available to Plaintiffs
16 from another source that is more convenient, less burdensome, or less expensive.

17 7. UBH and UHC object to each and every Request, Definition, and Instruction to the
18 extent it calls for production of documents or electronic information that would be unduly
19 burdensome.

20 8. UBH and UHC object to each and every Request, Definition, and Instruction to the
21 extent it calls for production of electronic information that is not reasonably accessible, including any
22 archived data or backup tapes that would be unduly burdensome to search or restore.

23 9. UBH and UHC object to each and every Request, Definition, and Instruction to the
24 extent that it implicates the privacy interests of third parties established by law, contract, or custom.
25 This includes, but is not limited to, information covered by the Health Insurance Portability and
26 Accountability Act, and in particular sensitive health information regarding the mental health and
27 substance abuse conditions and treatments of participants and beneficiaries who are not named
28 Plaintiffs in this case. To the extent any confidential health information is non-privileged and

1 responsive to the Requests and not otherwise objectionable, UBH and UHC will provide such
2 documents and information pursuant to the Protective Order, and reserves the right to redact
3 identifiers and other patient-specific information as well.

4 10. UBH and UHC object to each and every Request, Definition, and Instruction to the
5 extent that it seeks documents outside of UBH's and UHC's respective possession, custody, and
6 control, including to the extent any Requests seek information from a "United" entity other than UBH
7 or UHC.

8 11. Nothing contained herein or provided in response to the Requests consists of, or
9 should be construed as, an admission relating to the accuracy, relevance, existence, or nonexistence
10 of any alleged facts or information referenced in any Requests. By indicating that they will produce
11 non-objectionable, non-privileged responsive documents, UBH and UHC do not make a
12 representation that such documents exist or are in UBH's or UHC's respective possession, but only
13 that UBH and UHC will conduct the reasonable searches indicated for the documents sought.

14 12. UBH and UHC object to each and every Request, Definition, and Instruction to the
15 extent that it seeks documents outside of the relevant scope of discovery and statute of limitations for
16 this case which is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims.
17 *See Withrow v. Halsey*, 655 F.3d 1032, 1035–36 (9th Cir. 2011); *see also Pincay v. Andrews*, 238
18 F.3d 1006, 1108 (9th Cir. 2001). In the event that UBH and/or UHC agree to produce documents
19 outside of the April 2, 2016 to present timeframe—the governing statute of limitations in this case—
20 such agreement should be deemed limited to that specific Request and is not to be construed as a
21 waiver or admission of any kind.

22 13. UBH and UHC object to each and every Request, Definition, and Instruction to the
23 extent that it is overly broad, unduly burdensome, and imposes substantial, unjustifiable, and
24 significant discovery costs and search burdens on UBH and UHC.

25 14. Inadvertent production or identification of documents or communications that are
26 privileged or otherwise immune from discovery shall not constitute a waiver of any such claim with
27 respect to the disclosed documents or communications or any other documents or communications or
28 of the rights of UBH and UHC to object to the use of any such documents or the subject matter

thereof during subsequent proceedings. In the event of inadvertent disclosure of such documents, Plaintiff will return the documents to UBH and/or UHC and will be precluded from disclosing or relying upon such documents in any way.

15. All the General Objections contained herein and Objections to Definitions and Instructions are expressly incorporated into each of the responses set forth below.

OBJECTIONS TO DEFINITIONS

1. UBH and UHC object to Plaintiffs' definition of "United" (as well as "You" and "Your") on the ground that it is vague, ambiguous, overly broad and unduly burdensome. In particular, Plaintiffs purport to sweep in various distinct persons and entities through this definition who are not proper parties to this case and not properly subject to discovery. UBH and UHC will respond to these Requests for Production of Documents on behalf of United Behavioral Health and UnitedHealthcare Insurance Company, which are the named defendants in this case.

2. UBH and UHC object to Plaintiffs' definition of "Complaint" on the ground that there is a new operative complaint in this action—the Third Amended Complaint ("TAC") filed on September 10, 2021 (Dkt. 91). UBH and UHC will interpret this definition as referring to the TAC.

3. UBH and UHC object to Plaintiffs' definition of "document(s)" to the extent that it seeks to impose obligations on UBH and UHC beyond those required by the Federal rules. UBH and UHC further object to this definition to the extent it calls for production of electronic information that is not reasonably accessible, including any archived data or backup tapes that would be unduly burdensome to search or restore. UBH and UHC will use the definition of "documents" set out in Federal Rule 34.

4. UBH and UHC object to the definition of "Facility R&C" on the ground that it is overly broad and unduly burdensome in that it seeks information about programs that are not relevant to Plaintiffs' claims and allegations in this case, which challenge Viant's OPR pricing for intensive outpatient programs.

OBJECTIONS TO INSTRUCTIONS

1
2 1. UBH and UHC object to Plaintiffs' failure to number the Instructions. For purposes of
3 clarity in responding and objecting to Plaintiffs' Instructions, UBH and UHC have assigned a number
4 to each Instruction based on the Instruction's paragraph break.

5 2. UBH and UHC object to Plaintiffs' Instruction 1 to the extent it seeks documents that
6 are exempt from discovery and protected from disclosure by the attorney-client privilege, the attorney
7 work-product doctrine, confidentiality agreements, or any other applicable privilege, doctrine or
8 protection.

9 3. UBH and UHC object to Plaintiffs' Instruction 2 that Defendants "must make a
10 diligent search of your records and of other papers and materials in your possession or available to
11 you or your representatives" to the extent that this Instruction seeks to impose obligations on UBH
12 and UHC beyond those required by the Federal Rules. UBH and UHC further objects to Instruction 2
13 to the extent it calls for the production of information outside of UBH's and UHC's possession,
14 custody, and control and includes documents that may already be in Plaintiffs' possession or are
15 available to Plaintiffs from another source that is more convenient, less burdensome, or less
16 expensive.

17 4. UBH and UHC object to Plaintiffs' Instruction 4 to the extent it requires Defendants to
18 "[i]dentify the portion to which you cannot respond; state the reason for your inability to respond to
19 it; and provide whatever materials you possess regarding that portion." Where UBH and UHC are
20 unable to fully respond to a request, UBH and UHC will state the reason for its inability to respond,
21 and otherwise reserves the right to meet and confer.

22 5. UBH and UHC object to Plaintiffs' Instruction 5 to the extent it purports to confer
23 obligations on UBH and UHC beyond what the Parties have agreed to in their ESI protocol.

24 6. UBH and UHC object to Plaintiffs' Instruction 6 to the extent that this Instruction
25 seeks to impose obligations on UBH and UHC beyond those required by the Federal Rules.

26 7. UBH and UHC object to Plaintiffs' Instruction 7 that "you should identify the relevant
27 Bates or reference number (or range of numbers) that corresponds" on the ground that such obligation
28 would be unduly burdensome given the broad scope and number of the requests.

8. UBH and UHC object to Plaintiffs' Instruction 8 that the "time period encompassed by each Request for Production is the same as the time period relevant to the allegations in the Complaint" to the extent that this Instruction includes periods outside the relevant scope of discovery and statute of limitations for this case which, unless otherwise noted in the specific responses below, is four years for Plaintiffs' ERISA claims and four years for Plaintiffs' RICO claims. *See Withrow*, 655 F.3d at 1035–36; *see also Pincay*, 238 F.3d at 1108. UBH and UHC also object to Plaintiffs' Instruction 8 to the extent it seeks documents and information irrelevant to the claims at issue in the Complaint, including to the extent it seeks documents and information irrelevant to IOP services. Plaintiffs' Complaint alleges that Defendants "den[ied] proper payment for the IOP treatment services that Plaintiffs received" and "under-reimburse[d] Plaintiffs' claims for medically necessary IOP services provided to them." *See, e.g.*, Third Amended Complaint ("TAC") ¶¶ 4, 28; *see also* TAC ¶¶ 447–48 (noting that the alleged harm is limited to "underpa[yment]" of the "IOP claims of the Plaintiffs and the class").

9. UBH and UHC object to Plaintiffs' Instruction 9 that each request be deemed "continuing in nature" on the ground that such obligation would be unduly burdensome given the broad scope and number of the requests.

10. UBH and UHC object to Plaintiffs' Instruction 10 that "[c]opies, if authenticated, of the original documents may be supplied in response" and that "[i]f the documents are provided electronically as TIFF images, they should be accompanied by OCR" to the extent it purports to confer obligations on UBH and UHC beyond what the Parties have agreed to in their ESI protocol.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST NO. 1:

Any and all documents relating to Facility R&C Program pricing for claims with HCPCS Code H0015, S9480, and/or Revenue Codes 0905/0906.

RESPONSE TO REQUEST NO. 1:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably

1 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 2 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 3 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 4 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 5 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
 6 documents" within a broadly-defined category that includes multiple codes. UBH and UHC further
 7 object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests.
 8 UBH and UHC object to this Request on the grounds that it seeks information which is subject to a
 9 claim of privilege or which is otherwise protected from disclosure by, including without limitation,
 10 the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the
 11 extent this Request seeks documents outside the time period properly subject to discovery for
 12 Plaintiffs' claims and allegations in this case.

13 Subject to and without waiving the General Objections, the Objections to Definitions and
 14 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 15 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 16 reasonably provided.

17 **REQUEST NO. 2:**

18 Any and all documents provided to MultiPlan relating to Facility R&C Program pricing for
 19 claims with HCPCS Code H0015, S9480, and/or Revenue Codes 0905/0906.

20 **RESPONSE TO REQUEST NO. 2:**

21 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 22 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 23 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 24 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 25 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 26 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 27 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 28 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all

documents” within a broadly-defined category that includes multiple codes. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests and to the extent it is duplicative of Request No. 1. UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s and UHC’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan, but not UBH or UHC. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 3:

Any and all documents related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 3:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests and to the extent it is duplicative of Request Nos. 1 and 2. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product

1 doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time
2 period properly subject to discovery for Plaintiffs' claims and allegations in this case.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
5 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
6 reasonably provided.

7 **REQUEST NO. 4:**

8 Any and all documents for packages and product configurations provided to/for United, its
9 subsidiaries, and/or affiliates, which included the Facility R&C Program.

10 **RESPONSE TO REQUEST NO. 4:**

11 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
12 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
13 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
14 and UHC further object to this Request on the ground that it seeks information not relevant to the
15 claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible
16 evidence, to the extent it seeks information about claims other than out-of-network claims for
17 intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR
18 product. UBH and UHC further object to this Request on the grounds that the terms "packages" and
19 "product configurations" are vague and undefined. UBH and UHC further object to this Request as
20 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
21 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
22 documents" within a broadly-defined category. UBH and UHC further object to this Request to the
23 extent it seeks documents about entities, i.e. "subsidiaries, and/or affiliates" which are not parties to
24 or at issue in this case. UBH and UHC further object to the extent this Request is duplicative of
25 Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the
26 extent it seeks information outside of UBH's and UHC's possession, custody, and control, including
27 but not limited to any documents that may be in the possession of third parties, but not UBH or UHC.

UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 5:

Any and all documents that relate to or compare the Facility R&C Program reimbursement amounts and FAIR Health.

RESPONSE TO REQUEST NO. 5:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "reimbursement amounts" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs

1 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
2 reasonably provided.

3 **REQUEST NO. 6:**

4 Any and all documents relating to ‘plan language’ and the Facility R&C Program.

5 **RESPONSE TO REQUEST NO. 6:**

6 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
7 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
8 that it seeks information not relevant to the claims or defenses of any party and not reasonably
9 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
10 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
11 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request on
12 the grounds that the term “plan language” is vague and undefined. UBH and UHC further object to
13 this Request as overly broad and unduly burdensome. By way of example only, this Request is
14 overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce
15 “any and all documents” within a broadly-defined category. UBH and UHC further object to the
16 extent this Request is duplicative of Plaintiffs’ previously-served discovery requests. UBH and UHC
17 object to this Request on the grounds that it seeks information which is subject to a claim of privilege
18 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
19 privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request
20 seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and
21 allegations in this case.

22 Subject to and without waiving the General Objections, the Objections to Definitions and
23 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
24 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
25 reasonably provided.

26 **REQUEST NO. 7:**

27 All documents relating to Facility R&C Program plan language exchanged by United and
28 MultiPlan.

RESPONSE TO REQUEST NO. 7:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this request to the extent that it assumes that there is standard "plan language" about "Facility R&C." UBH and UHC further object to this Request on the grounds that the term "plan language" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all documents" within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests and to the extent it is duplicative of Request No. 6. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 8:

All documents relating to payments from United to MultiPlan for ‘savings’ provided by MultiPlan related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 8:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs’ definition of “United.” UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request on the grounds that the term “savings” is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “all documents” within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s and UHC’s possession, custody, and control, including but not limited to any documents that may be in the possession of MultiPlan, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 9:

Any and all invoices sent by United to the Tesla plan related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 9:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "Tesla plan" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 10:

Records of all payments received by United from Tesla for fees related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 10:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests and to the extent it is duplicative of Request No. 9. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 11:

Any and all correspondence between United and Tesla related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 11:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH and UHC further object to this Request on the ground that it seeks information not relevant to the

claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all documents" within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 12:

Any and all invoices sent by United to the Apple plan related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 12:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "Apple plan" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly

burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “any and all documents” within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s and UHC’s possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 13:

Records of all payments received by United from Apple for fees related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 13:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs’ definition of “United.” UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “all” within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests and to the extent it is duplicative of Request No. 12. UBH and UHC further object to this Request to the

1 extent it seeks information outside of UBH's and UHC's possession, custody, and control, including
 2 but not limited to any documents that may be in the possession of third parties, but not UBH or UHC.
 3 UBH and UHC also object to the extent this Request seeks documents outside the time period
 4 properly subject to discovery for Plaintiffs' claims and allegations in this case.

5 Subject to and without waiving the General Objections, the Objections to Definitions and
 6 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 7 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 8 reasonably provided.

9 **REQUEST NO. 14:**

10 Any and all correspondence between United and Apple related to the Facility R&C Program.

11 **RESPONSE TO REQUEST NO. 14:**

12 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 13 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
 14 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
 15 and UHC further object to this Request on the ground that it seeks information not relevant to the
 16 claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible
 17 evidence, to the extent it seeks information about claims other than out-of-network claims for
 18 intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR
 19 product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By
 20 way of example only, this Request is overly broad and unduly burdensome to the extent it purports to
 21 require UBH and UHC to produce "any and all documents" within a broadly-defined category. UBH
 22 and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served
 23 discovery requests. UBH and UHC further object to this Request to the extent it seeks information
 24 outside of UBH's and UHC's possession, custody, and control, including but not limited to any
 25 documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC also
 26 object to the extent this Request seeks documents outside the time period properly subject to
 27 discovery for Plaintiffs' claims and allegations in this case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 3 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 4 reasonably provided.

5 **REQUEST NO. 15:**

6 All documents relating to ASO plans / packages options that include the Facility R&C
 7 Program from January 1, 2015 to present.

8 **RESPONSE TO REQUEST NO. 15:**

9 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 10 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 11 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 12 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 13 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 14 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 15 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 16 unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents
 17 within a broadly-defined category. UBH and UHC further object to the extent this Request is
 18 duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this
 19 Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and
 20 control, including but not limited to any documents that may be in the possession of third parties, but
 21 not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information
 22 which is subject to a claim of privilege or which is otherwise protected from disclosure by, including
 23 without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and
 24 UHC also object to the extent this Request seeks documents outside the time period properly subject
 25 to discovery for Plaintiffs' claims and allegations in this case.

26 Subject to and without waiving the General Objections, the Objections to Definitions and
 27 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 28

1 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
2 reasonably provided.

3 **REQUEST NO. 16:**

4 All documents relating to FI plans / package options that include the Facility R&C Program
5 from January 1, 2015 to present.

6 **RESPONSE TO REQUEST NO. 16:**

7 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
9 that it seeks information not relevant to the claims or defenses of any party and not reasonably
10 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
11 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
12 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
13 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
14 unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all
15 documents" within a broadly-defined category. UBH and UHC further object to the extent this
16 Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further
17 object to this Request to the extent it seeks information outside of UBH's and UHC's possession,
18 custody, and control, including but not limited to any documents that may be in the possession of
19 third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it
20 seeks information which is subject to a claim of privilege or which is otherwise protected from
21 disclosure by, including without limitation, the attorney-client privilege or the attorney work product
22 doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time
23 period properly subject to discovery for Plaintiffs' claims and allegations in this case.

24 Subject to and without waiving the General Objections, the Objections to Definitions and
25 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
26 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
27 reasonably provided.

REQUEST NO. 17:

All documents relating to the Facility R&C Program for Mental Health and/or Substance Use Disorder and/or Behavioral Health claims.

RESPONSE TO REQUEST NO. 17:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 18:

All documents relating to the fee agreement between You and MultiPlan related to the Facility R&C Program.

RESPONSE TO REQUEST NO. 18:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "You." UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "fee agreement" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of Multiplan and/or third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 19:

All documents relating to the PRAs and remark codes sent by Defendants relating to the Facility R&C Program.

RESPONSE TO REQUEST NO. 19:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "remark code" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties and/or MultiPlan, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 20:

All documents relating to the EOBs and remark codes sent by Defendants relating to the Facility R&C Program.

RESPONSE TO REQUEST NO. 20:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "remark code" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties and/or MultiPlan, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 21:

All documents relating to the PAD letters (including drafts) sent by Defendants relating to the Facility R&C Program.

RESPONSE TO REQUEST NO. 21:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties and/or MultiPlan, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 22:

All documents relating to the Facility R&C Program Provider dispute process(es).

RESPONSE TO REQUEST NO. 22:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably

1 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 2 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 3 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on
 4 the grounds that the term "dispute process(es)" is vague and undefined. UBH and UHC further
 5 object to this Request as overly broad and unduly burdensome. By way of example only, this
 6 Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to
 7 produce "all" documents within a broadly-defined category. UBH and UHC further object to the
 8 extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC
 9 further object to this Request to the extent it seeks information outside of UBH's and UHC's
 10 possession, custody, and control, including but not limited to any documents that may be in the
 11 possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the
 12 grounds that it seeks information which is subject to a claim of privilege or which is otherwise
 13 protected from disclosure by, including without limitation, the attorney-client privilege or the
 14 attorney work product doctrine. UBH and UHC also object to the extent this Request seeks
 15 documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations
 16 in this case.

17 Subject to and without waiving the General Objections, the Objections to Definitions and
 18 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 19 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 20 reasonably provided.

21 **REQUEST NO. 23:**

22 All documents relating to the application of Fair Health's database for the pricing of Facility
 23 R&C Program claims.

24 **RESPONSE TO REQUEST NO. 23:**

25 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 26 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 27 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 28 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about

claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "Fair Health's database" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 24:

All documents relating to the application of the Facility R&C Program for the pricing of facility claims.

RESPONSE TO REQUEST NO. 24:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents

1 within a broadly-defined category. UBH and UHC further object to the extent this Request is
 2 duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this
 3 Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and
 4 control, including but not limited to any documents that may be in the possession of third parties, but
 5 not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information
 6 which is subject to a claim of privilege or which is otherwise protected from disclosure by, including
 7 without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and
 8 UHC also object to the extent this Request seeks documents outside the time period properly subject
 9 to discovery for Plaintiffs' claims and allegations in this case.

10 Subject to and without waiving the General Objections, the Objections to Definitions and
 11 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 12 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 13 reasonably provided.

14 **REQUEST NO. 25:**

15 Any and all documents relating to the 'percentile standard' for Facility R&C Program claims.

16 **RESPONSE TO REQUEST NO. 25:**

17 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 18 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 19 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 20 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 21 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 22 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on
 23 the grounds that the term "percentile standard" is vague and undefined. UBH and UHC further object
 24 to this Request as overly broad and unduly burdensome. By way of example only, this Request is
 25 overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce
 26 "any and all" documents within a broadly-defined category. UBH and UHC further object to the
 27 extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC
 28 further object to this Request to the extent it seeks information outside of UBH's and UHC's

possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 26:

Any and all documents relating to the Facility R&C Program percentile values and Fair Health percentile values.

RESPONSE TO REQUEST NO. 26:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request on the grounds that the term "percentile values" is vague and undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "any and all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the

possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 27:

All documents relating to reducing reimbursement amounts of the Facility R&C Program behavioral health reimbursements to amounts less than or equal to those of participating provider levels.

RESPONSE TO REQUEST NO. 27:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to the extent this Request assumes there was a "reduc[tion] [of] reimbursement amounts." UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the

possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 28:

All documents relating to the marketing of products containing the Facility R&C Program.

RESPONSE TO REQUEST NO. 28:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to this Request on the grounds that the phrase "marketing of products" is vague and unintelligible. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise

1 protected from disclosure by, including without limitation, the attorney-client privilege or the
2 attorney work product doctrine. UBH and UHC also object to the extent this Request seeks
3 documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations
4 in this case.

5 Subject to and without waiving the General Objections, the Objections to Definitions and
6 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
7 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
8 reasonably provided.

9 **REQUEST NO. 29:**

10 All documents received from MultiPlan relating to the Facility R&C Program.

11 **RESPONSE TO REQUEST NO. 29:**

12 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
14 that it seeks information not relevant to the claims or defenses of any party and not reasonably
15 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
16 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
17 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
18 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
19 unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents
20 within a broadly-defined category. UBH and UHC further object to the extent this Request is
21 duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this
22 Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and
23 control, including but not limited to any documents that may be in the possession of third parties
24 and/or MultiPlan, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it
25 seeks information which is subject to a claim of privilege or which is otherwise protected from
26 disclosure by, including without limitation, the attorney-client privilege or the attorney work product
27 doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time
28 period properly subject to discovery for Plaintiffs' claims and allegations in this case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 3 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 4 reasonably provided.

5 **REQUEST NO. 30:**

6 All documents received from MultiPlan relating to ‘savings’ on Facility R&C Program claims
 7 priced by MultiPlan.

8 **RESPONSE TO REQUEST NO. 30:**

9 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 10 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 11 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 12 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 13 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 14 rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request on
 15 the grounds that the term “savings” is vague and undefined. UBH and UHC further object to this
 16 Request as overly broad and unduly burdensome. By way of example only, this Request is overly
 17 broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “all”
 18 documents within a broadly-defined category. UBH and UHC further object to the extent this
 19 Request is duplicative of Plaintiffs’ previously-served discovery requests. UBH and UHC further
 20 object to this Request to the extent it seeks information outside of UBH’s and UHC’s possession,
 21 custody, and control, including but not limited to any documents that may be in the possession of
 22 third parties and/or MultiPlan, but not UBH or UHC. UBH and UHC object to this Request on the
 23 grounds that it seeks information which is subject to a claim of privilege or which is otherwise
 24 protected from disclosure by, including without limitation, the attorney-client privilege or the
 25 attorney work product doctrine. UBH and UHC also object to the extent this Request seeks
 26 documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations
 27 in this case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 3 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 4 reasonably provided.

5 **REQUEST NO. 31:**

6 All documents, other than those specifically prepared for or in response to litigation, relating
 7 to legal or regulatory concerns relating to the Facility R&C Program.

8 **RESPONSE TO REQUEST NO. 31:**

9 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 10 Instructions in their entirety into this response. UBH and UHC object to this Request on the ground
 11 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 12 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 13 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 14 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as
 15 overly broad and unduly burdensome. By way of example only, this Request is overly broad and
 16 unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents
 17 within a broadly-defined category. UBH and UHC further object to the extent this Request is
 18 duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further object to this
 19 Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and
 20 control, including but not limited to any documents that may be in the possession of third parties, but
 21 not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information
 22 which is subject to a claim of privilege or which is otherwise protected from disclosure by, including
 23 without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and
 24 UHC also object to the extent this Request seeks documents outside the time period properly subject
 25 to discovery for Plaintiffs' claims and allegations in this case.

26 Subject to and without waiving the General Objections, the Objections to Definitions and
 27 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 28

1 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
2 reasonably provided.

3 **REQUEST NO. 32:**

4 For the period January 1, 2015 to the present, all internal communications (including through
5 email, Salesforce and instant messaging platforms such as Microsoft Lync) and documents
6 concerning the pricing of United claims for behavioral health and the Facility R&C Program.

7 **RESPONSE TO REQUEST NO. 32:**

8 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
9 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
10 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
11 and UHC further object to this Request on the ground that it seeks information not relevant to the
12 claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible
13 evidence, to the extent it seeks information about claims other than out-of-network claims for
14 intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR
15 product. UBH and UHC further object to this Request on the grounds that the term "pricing" is
16 vague and undefined. UBH and UHC further object to this Request as overly broad and unduly
17 burdensome. By way of example only, this Request is overly broad and unduly burdensome to the
18 extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined
19 category. UBH and UHC further object to this Request to the extent the documents and information
20 sought are not reasonably available or accessible and/or unduly burdensome to capture, collect, and
21 produce in light of the file format or platform. UBH and UHC further object to the extent this
22 Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC further
23 object to this Request to the extent it seeks information outside of UBH's and UHC's possession,
24 custody, and control, including but not limited to any documents that may be in the possession of
25 third parties, but not UBH or UHC. UBH and UHC also object to the extent this Request seeks
26 documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations
27 in this case.

1 Subject to and without waiving the General Objections, the Objections to Definitions and
 2 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 3 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 4 reasonably provided.

5 **REQUEST NO. 33:**

6 For the period January 1, 2015 to the present, all United-elected overrides related to the
 7 Facility R&C Program suggested or applied on behalf of United or any United owned entity such as
 8 Optum, United Healthcare Insurance Company; United Health Care Services Inc. dba
 9 UnitedHealthcare; UMR, Inc. d/b/a United Medical Resources; and/or Oxford Health Plans, Inc. for
 10 any mental health and/or behavioral health claim sent to MultiPlan.

11 **RESPONSE TO REQUEST NO. 33:**

12 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 13 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
 14 is directed at nonparties and not UBH and UHC. UBH and UHC object to this Request on the ground
 15 that it seeks information not relevant to the claims or defenses of any party and not reasonably
 16 calculated to lead to the discovery of admissible evidence, to the extent it seeks information about
 17 claims other than out-of-network claims for intensive outpatient programs for which reimbursement
 18 rates were calculated using Viant's OPR product. UBH and UHC further object to this Request to the
 19 extent it assumes there were "United-elected overrides" relating to the Facility R&C Program. UBH
 20 and UHC further object to this Request on the grounds that the term "United-elected overrides" is
 21 vague and undefined. UBH and UHC further object to this Request as overly broad and unduly
 22 burdensome. By way of example only, this Request is overly broad and unduly burdensome to the
 23 extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined
 24 category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs'
 25 previously-served discovery requests. UBH and UHC further object to this Request to the extent it
 26 seeks information outside of UBH's and UHC's possession, custody, and control, including but not
 27 limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH
 28 and UHC object to this Request on the grounds that it seeks information which is subject to a claim of

1 privilege or which is otherwise protected from disclosure by, including without limitation, the
 2 attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the
 3 extent this Request seeks documents outside the time period properly subject to discovery for
 4 Plaintiffs' claims and allegations in this case.

5 Subject to and without waiving the General Objections, the Objections to Definitions and
 6 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 7 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 8 reasonably provided.

9 **REQUEST NO. 34:**

10 For the period January 1, 2015 to the present, all external and internal communications
 11 (including through email, Salesforce and instant messaging platforms such as Microsoft Lync) and
 12 documents connected with or concerning MultiPlan's meetings with United that discussed, among
 13 other topics, the Facility R&C Program and Multiplan's repricing methodologies and potential
 14 savings and profits from those program(s).

15 **RESPONSE TO REQUEST NO. 34:**

16 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 17 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
 18 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
 19 and UHC object to this Request on the ground that it seeks information not relevant to the claims or
 20 defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence,
 21 to the extent it seeks information about claims other than out-of-network claims for intensive
 22 outpatient programs for which reimbursement rates were calculated using Viant's OPR product.
 23 UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of
 24 example only, this Request is overly broad and unduly burdensome to the extent it purports to require
 25 UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC
 26 further object to this Request to the extent the documents and information sought are not reasonably
 27 available or accessible and/or unduly burdensome to capture, collect, and produce in light of the file
 28 format or platform. UBH and UHC further object to the extent this Request is duplicative of

1 Plaintiffs' previously-served discovery requests. UBH and UHC further object to this Request to the
 2 extent it seeks information outside of UBH's and UHC's possession, custody, and control, including
 3 but not limited to any documents that may be in the possession of third parties and/or Multiplan, but
 4 not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information
 5 which is subject to a claim of privilege or which is otherwise protected from disclosure by, including
 6 without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and
 7 UHC also object to the extent this Request seeks documents outside the time period properly subject
 8 to discovery for Plaintiffs' claims and allegations in this case.

9 Subject to and without waiving the General Objections, the Objections to Definitions and
 10 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 11 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 12 reasonably provided.

13 **REQUEST NO. 35:**

14 For the period January 1, 2015 to the present, produce all external and internal
 15 communications (including through email, Salesforce and instant messaging platforms such as
 16 Microsoft Lync) and documents connected with or concerning MultiPlan's meetings with United that
 17 discussed, among other topics, MultiPlan's repricing methodologies and potential savings and profits
 18 from those programs, related to United's Facility R&C Program.

19 **RESPONSE TO REQUEST NO. 35:**

20 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 21 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
 22 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
 23 and UHC object to this Request on the ground that it seeks information not relevant to the claims or
 24 defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence,
 25 to the extent it seeks information about claims other than out-of-network claims for intensive
 26 outpatient programs for which reimbursement rates were calculated using Viant's OPR product.
 27 UBH and UHC further object to this Request on the grounds that the term "savings" is vague and
 28 undefined. UBH and UHC further object to this Request as overly broad and unduly burdensome.

By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “all” documents within a broadly-defined category. UBH and UHC further object to this Request to the extent the documents and information sought are not reasonably available or accessible and/or unduly burdensome to capture, collect, and produce in light of the file format or platform. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests and to the extent it is duplicative of Request No. 34. UBH and UHC further object to this Request to the extent it seeks information outside of UBH’s and UHC’s possession, custody, and control, including but not limited to any documents that may be in the possession of third parties and/or Multiplan, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 36:

For the period January 1, 2015 to the present, produce all documents, tables, summaries or slide presentations presented to United at any meeting between representatives of MultiPlan and United, including presentations on the Facility R&C Program, including slide decks used at the quarterly meetings. This request includes meetings conducted in person, on the phone, or over video-conference.

RESPONSE TO REQUEST NO. 36:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs’ definition of “United.” UBH

1 and UHC object to this Request on the ground that it seeks information not relevant to the claims or
 2 defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence,
 3 to the extent it seeks information about claims other than out-of-network claims for intensive
 4 outpatient programs for which reimbursement rates were calculated using Viant's OPR product.
 5 UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of
 6 example only, this Request is overly broad and unduly burdensome to the extent it purports to require
 7 UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC
 8 further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery
 9 requests. UBH and UHC further object to this Request to the extent it seeks information outside of
 10 UBH's and UHC's possession, custody, and control, including but not limited to any documents that
 11 may be in the possession of third parties and/or Multiplan, but not UBH or UHC. UBH and UHC
 12 object to this Request on the grounds that it seeks information which is subject to a claim of privilege
 13 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
 14 privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request
 15 seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and
 16 allegations in this case.

17 Subject to and without waiving the General Objections, the Objections to Definitions and
 18 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 19 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 20 reasonably provided.

21 **REQUEST NO. 37:**

22 Produce the savings reports showing total savings by month for all United claims related to
 23 the Facility R&C Program, for the period July 1, 2015 to the present, including United's Internal
 24 Operating Income ("IOI") related to the Facility R&C Program.

25 **RESPONSE TO REQUEST NO. 37:**

26 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 27 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
 28 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH

and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC further object to this Request on the grounds that the terms "savings reports" and "United's Internal Operating Income ('IOI')" is vague and undefined. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery requests and to the extent it is duplicative of Request No. 36. UBH and UHC further object to this Request to the extent it seeks information outside of UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 38:

Produce all records relating to IOI earned by United related to the Facility R&C Program for the period January 1, 2015 to the present.

RESPONSE TO REQUEST NO. 38:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it

1 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
 2 and UHC object to this Request on the ground that it seeks information not relevant to the claims or
 3 defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence,
 4 to the extent it seeks information about claims other than out-of-network claims for intensive
 5 outpatient programs for which reimbursement rates were calculated using Viant's OPR product.
 6 UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of
 7 example only, this Request is overly broad and unduly burdensome to the extent it purports to require
 8 UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC
 9 further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery
 10 requests and to the extent it is duplicative of Request No. 37. UBH and UHC object to this Request
 11 on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise
 12 protected from disclosure by, including without limitation, the attorney-client privilege or the
 13 attorney work product doctrine. UBH and UHC also object to the extent this Request seeks
 14 documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations
 15 in this case.

16 Subject to and without waiving the General Objections, the Objections to Definitions and
 17 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 18 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 19 reasonably provided.

20 **REQUEST NO. 39:**

21 Produce all records showing all actual fees earned by United as a result of its Facility R&C
 22 Program for the period January 1, 2015 to the present.

23 **RESPONSE TO REQUEST NO. 39:**

24 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 25 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
 26 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
 27 and UHC object to this Request on the ground that it seeks information not relevant to the claims or
 28 defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence,

1 to the extent it seeks information about claims other than out-of-network claims for intensive
 2 outpatient programs for which reimbursement rates were calculated using Viant's OPR product.
 3 UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of
 4 example only, this Request is overly broad and unduly burdensome to the extent it purports to require
 5 UBH and UHC to produce "all" documents within a broadly-defined category. UBH and UHC
 6 further object to the extent this Request is duplicative of Plaintiffs' previously-served discovery
 7 requests. UBH and UHC object to this Request on the grounds that it seeks information which is
 8 subject to a claim of privilege or which is otherwise protected from disclosure by, including without
 9 limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also
 10 object to the extent this Request seeks documents outside the time period properly subject to
 11 discovery for Plaintiffs' claims and allegations in this case.

12 Subject to and without waiving the General Objections, the Objections to Definitions and
 13 Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs
 14 to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be
 15 reasonably provided.

16 **REQUEST NO. 40:**

17 Produce all internal presentations (whether in PowerPoint, excel or other) created by United
 18 related to or including discussion of the Facility R&C Program for the period January 1, 2015 to the
 19 present.

20 **RESPONSE TO REQUEST NO. 40:**

21 UBH and UHC hereby incorporate their General Objections and Objections to Definitions and
 22 Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it
 23 is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH
 24 and UHC object to this Request on the ground that it seeks information not relevant to the claims or
 25 defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence,
 26 to the extent it seeks information about claims other than out-of-network claims for intensive
 27 outpatient programs for which reimbursement rates were calculated using Viant's OPR product.
 28 UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of

example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “all” documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs’ claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 41:

Produce all internal correspondence by United related to or including discussion of the Facility R&C Program for the period January 1, 2015 to the present.

RESPONSE TO REQUEST NO. 41:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs’ definition of “United.” UBH and UHC object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant’s OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require UBH and UHC to produce “all” documents within a broadly-defined category. UBH and UHC further object to the extent this Request is duplicative of Plaintiffs’ previously-served discovery requests. UBH and UHC further object to this Request to the extent it seeks information outside of

UBH's and UHC's possession, custody, and control, including but not limited to any documents that may be in the possession of third parties, but not UBH or UHC. UBH and UHC object to this Request on the grounds that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine. UBH and UHC also object to the extent this Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims and allegations in this case.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UBH and UHC will meet and confer with Plaintiffs to discuss what documents Plaintiffs seek through this Request and what documents, if any, can be reasonably provided.

REQUEST NO. 42:

This request is directed to healthcare claims for which United administered and/or provided services to Self-funded employee benefit plans ("ERISA" plans). Further, this request applies only to those plans whose Administrative Services Agreements provided that the plan pay United fees as compensation for the services that United provided in connection with United's 'Facility R&C Charge Determination Program', 'Facility R&C Program', 'Facility R&C Bill Management', 'Facility Reasonable & Customary Program', 'FR&C', and/or similar programs and/or package options.

For the period of January 1, 2015 to present, for those United members and/or beneficiaries who had a claim submitted by United or any of its affiliates to MultiPlan, for HCPCS Code H0015, S9480, and/or Revenue Codes 0905/0906, for those claims for which MultiPlan returned a price to United, for those members and/or beneficiaries contained in the aforementioned set; for the three months preceding the initial date of service for each of those member's MultiPlan priced claims, all claims submitted by or on behalf of those members to United that include any of the following: Revenue Code 0126, 1002, 0913, 0912; HCPCS H0010, H0012, H0018, H0019, H2036, S0201 (Revenue Code 0126 and HCPCS H0010/H0012 represent Detox treatment. Revenue Code 1002 and

1 HCPCS H0018/H0019 represent Residential treatment. Revenue Codes 0912/0913 and HCPCS
 2 H2036/S0201 represent Partial Hospitalization treatment.), produce a spreadsheet report containing:

- 3 • The Claim number
- 4 • The Bill Type (HCFA UB, and Bill Type Code, 131, 111 etc.)
- 5 • Service Dates (to and from)
- 6 • Service zip code
- 7 • Provider Name, address, and TIN
- 8 • Total Charge and Line Data submitted by the Provider
- 9 • Line Number
- 10 • Line Charge
- 11 • Revenue Code
- 12 • Units
- 13 • HCPCS/CPT Codes
- 14 • Any and all Modifiers
- 15 • Any line exclude amounts
- 16 • Any non-covered amounts
- 17 • Any indicators denoting exclusion in whole or in part
- 18 • Any line notes indicating how the line was handled
- 19 • Any diagnosis codes and procedure codes on the claim (e.g. ICD10 codes).
- 20 • Identify any edits taken to reduce the claim, any CCI edits, Proprietary edits, and/or unit reductions.
- 21 • Identification of the methodology used to price the claim (e.g., Billed Charges, thirdparty network agreement, Viant, Data iSight, Negotiation, % of CMS, or other method or tool).
- 22 • The entity that applied the pricing methodology (e.g. United, MultiPlan, Zelis or other)
- 23 • The allowed amount for each claim
- 24 • Any “Savings Amount” taken by United off of the provider’s billed charges.
- 25
- 26
- 27
- 28

- Any Shared Savings Fees or other fees charged by United as part of an ASA / ASO or other agreement.
- The date the date and amounts withdrawn from each ERISA plan's trust account associated with the above claims.
- Any other factors applied to the final price such as Override, Caps, Benchmark Pricing, Target Pricing, or Amount Change on Appeal.
- The Fair Health usual and customary benchmark amount for the same time period at the 70th and 80th percentile for each claim responsive to this request.
- Whether any appeals were made as to those claims.
- The additional amount, if any, paid following appeals.
- The final allowed amount.

RESPONSE TO REQUEST NO. 42:

UBH and UHC hereby incorporate their General Objections and Objections to Definitions and Instructions in their entirety into this response. UBH and UHC object to this Request to the extent it is directed at nonparties and not UBH and UHC based on Plaintiffs' definition of "United." UBH and UHC further object to this Request on the ground that it seeks information not relevant to the claims or defenses of any party and not reasonably calculated to lead to the discovery of admissible evidence, and to the extent it seeks information about claims other than out-of-network claims for intensive outpatient programs for which reimbursement rates were calculated using Viant's OPR product. UBH and UHC further object to this Request as overly broad and unduly burdensome. By way of example only, this Request is overly broad and unduly burdensome to the extent it purports to require to UBH and UHC to "produce" a "spreadsheet report" specifically for this litigation containing a broadly-defined category of claims that includes multiple codes, including HCPCS Code H2046, that have no apparent connection to the IOP services at issue in the case. Assembling a three-month history for many thousands of claims would be incredibly burdensome and require extensive manual effort to match claims member claims to three-month histories that are not in scope for the putative class. Additionally, as the Request acknowledges, Revenue Codes 0126, 1002, 0913, and 0912, and HCPCS H0010, H0012, H0018, H0019, and H2036, S0201, relate to other levels of care not involving the IOP services at issue in this case. Further, as framed the Request appears to seek

1 detailed information about claims and payments not involving Viant's OPR product. This Request
 2 also appears to seek numerous specific data fields that are not readily available in the relevant
 3 systems of UBH and UHC, and that do not appear to be relevant to the issues in this case. UBH and
 4 UHC further object that this Request implicates third party privacy concerns by seeking confidential
 5 patient health information ("PHI") about persons who are not relevant to the case and/or irrelevant
 6 services for persons, who are, at most, absent class members. UBH and UHC further object to the
 7 extent this Request is duplicative of Plaintiffs' previously-served discovery requests. UBH and UHC
 8 further object to this Request to the extent it seeks information outside of UBH's and UHC's
 9 possession, custody, and control, including but not limited to any documents that may be in the
 10 possession of third parties, but not UBH or UHC. UBH and UHC also object to the extent this
 11 Request seeks documents outside the time period properly subject to discovery for Plaintiffs' claims
 12 and allegations in this case.

13 Subject to and without waiving the General Objections, the Objections to Definitions and
 14 Instructions, or the foregoing specific objections, UBH and UHC will continue to meet and confer
 15 with Plaintiffs regarding the parameters of a claims data summary for the putative class members'
 16 claims involving IOP services priced using Viant's OPR data that can be reasonably produced by
 17 UBH and UHC to satisfy this Request.

18 **REQUEST NO. 43:**

19 Please produce any and all documents supporting your contention in Paragraph 1 of your
 20 Answer wherein You stated United "denies any alleged scheme to underpay valid, medically
 21 necessary claims; denies Plaintiffs suffered any legally compensable injury; and denies that
 22 Plaintiffs' claims can be properly pursued as a class action as alleged in Paragraph 1."

23 **RESPONSE TO REQUEST NO. 43:**

24 UHC hereby incorporates its General Objections and Objections to Definitions and
 25 Instructions in their entirety into this response. UHC further objects to this Request on the ground
 26 that it is premature at this early phase in the case. UHC further objects to this Request as overly
 27 broad and unduly burdensome on the ground that it seeks "any and all documents." UHC further
 28 objects to this Request to the extent that it seeks information which is subject to a claim of privilege

or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the contention listed in this Request.

REQUEST NO. 44:

Please produce any and all documents supporting your contention in Paragraph 95 of your Answer wherein You stated that United “denies that it transitioned to ASAM following a ruling in the Wit litigation that previous guidelines were “illegal.””

RESPONSE TO REQUEST NO. 44:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the contention listed in this Request.

REQUEST NO. 45:

Please produce any and all documents supporting your contention in Paragraph 491 of your Answer wherein You stated “UBH denies that Plaintiffs or any putative class is entitled to any of the relief requested.”

RESPONSE TO REQUEST NO. 45:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the contention listed in this Request.

REQUEST NO. 46:

Please produce any and all documents supporting your contention in Paragraph 491 of your Answer wherein You stated “UBH denies that Plaintiffs or any putative class is entitled to any of the relief requested.”

RESPONSE TO REQUEST NO. 46:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the contention
2 listed in this Request.

3 **REQUEST NO. 47:**

4 Please produce any and all documents supporting your contention in Paragraph 492 of your
5 Answer wherein You stated “UBH denies that Plaintiffs are entitled to any of the relief requested.”

6 **RESPONSE TO REQUEST NO. 47:**

7 UHC hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UHC further objects to this Request on the ground
9 that it is premature at this early phase in the case. UHC further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the contention
18 listed in this Request.

19 **REQUEST NO. 48:**

20 Please produce any and all documents supporting your First Affirmative Defense (Statutory
21 Compliance).

22 **RESPONSE TO REQUEST NO. 48:**

23 UHC hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UHC further objects to this Request on the ground
25 that it is premature at this early phase in the case. UHC further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 49:

Please produce any and all documents supporting your Second Affirmative Defense (Full Contractual Performance).

RESPONSE TO REQUEST NO. 49:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 50:

Please produce any and all documents supporting your Third Affirmative Defense (Lack of Article III Standing).

RESPONSE TO REQUEST NO. 50:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 51:

Please produce any and all documents supporting your Fourth Affirmative Defense (Redress).

RESPONSE TO REQUEST NO. 51:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 52:

Please produce any and all documents supporting your Fifth Affirmative Defense (Improper Defendant).

RESPONSE TO REQUEST NO. 52:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 53:

Please produce any and all documents supporting your Sixth Affirmative Defense (UBH as Distinct Entity).

RESPONSE TO REQUEST NO. 53:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 54:

Please produce any and all documents supporting your Seventh Affirmative Defense (Exclusive Remedies - ERISA).

RESPONSE TO REQUEST NO. 54:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 55:

Please produce any and all documents supporting your Eighth Affirmative Defense (No Fiduciary Duty).

RESPONSE TO REQUEST NO. 55:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly

1 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
 2 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
 3 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
 4 privilege or the attorney work product doctrine.

5 Subject to and without waiving the General Objections, the Objections to Definitions and
 6 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
 7 produce, if it has not already done so or if such documents have not already been produced by other
 8 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
 9 listed in this Request.

10 **REQUEST NO. 56:**

11 Please produce any and all documents supporting your Ninth Affirmative Defense
 12 (Comparative Fault of Third Parties/No Vicarious Liability).

13 **RESPONSE TO REQUEST NO. 56:**

14 UHC hereby incorporates its General Objections and Objections to Definitions and
 15 Instructions in their entirety into this response. UHC further objects to this Request on the ground
 16 that it is premature at this early phase in the case. UHC further objects to this Request as overly
 17 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
 18 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
 19 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
 20 privilege or the attorney work product doctrine.

21 Subject to and without waiving the General Objections, the Objections to Definitions and
 22 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
 23 produce, if it has not already done so or if such documents have not already been produced by other
 24 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
 25 listed in this Request.

26 **REQUEST NO. 57:**

27 Please produce any and all documents supporting your Tenth Affirmative Defense (Lack of
 28 Causation).

RESPONSE TO REQUEST NO. 57:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 58:

Please produce any and all documents supporting your Eleventh Affirmative Defense (Fraud/Improper Conduct by Third Parties).

RESPONSE TO REQUEST NO. 58:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 59:

Please produce any and all documents supporting your Twelfth Affirmative Defense (Assignment).

RESPONSE TO REQUEST NO. 59:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 60:

Please produce any and all documents supporting your Thirteenth Affirmative Defense (Breach of Contract/Failure to Perform).

RESPONSE TO REQUEST NO. 60:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 61:

Please produce any and all documents supporting your Fourteenth Affirmative Defense (No Exhaustion).

RESPONSE TO REQUEST NO. 61:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 62:

Please produce any and all documents supporting your Fifteenth Affirmative Defense (Set-Off).

RESPONSE TO REQUEST NO. 62:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 63:

Please produce any and all documents supporting your Sixteenth Affirmative Defense (Claims Barred by the Statute of Limitations).

RESPONSE TO REQUEST NO. 63:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3 **REQUEST NO. 64:**

4 Please produce any and all documents supporting your Seventeenth Affirmative Defense
5 (Claims Barred by Contractual Limitations).

6 **RESPONSE TO REQUEST NO. 64:**

7 UHC hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UHC further objects to this Request on the ground
9 that it is premature at this early phase in the case. UHC further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
18 listed in this Request.

19 **REQUEST NO. 65:**

20 Please produce any and all documents supporting your Eighteenth Affirmative Defense
21 (Equitable Doctrines).

22 **RESPONSE TO REQUEST NO. 65:**

23 UHC hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UHC further objects to this Request on the ground
25 that it is premature at this early phase in the case. UHC further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 66:**

9 Please produce any and all documents supporting your Nineteenth Affirmative Defense (No
10 Reliance).

11 **RESPONSE TO REQUEST NO. 66:**

12 UHC hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UHC further objects to this Request on the ground
14 that it is premature at this early phase in the case. UHC further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 67:**

25 Please produce any and all documents supporting your Twentieth Affirmative Defense
26 (Presumed Knowledge).

RESPONSE TO REQUEST NO. 67:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 68:

Please produce any and all documents supporting your Twenty-First Affirmative Defense (No Scierter).

RESPONSE TO REQUEST NO. 68:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 69:

Please produce any and all documents supporting your Twenty-Second Affirmative Defense (No Duty to Disclose).

RESPONSE TO REQUEST NO. 69:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 70:

Please produce any and all documents supporting your Twenty-Third Affirmative Defense (No Primary Jurisdiction).

RESPONSE TO REQUEST NO. 70:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 71:**

9 Please produce any and all documents supporting your Twenty-Fourth Affirmative Defense
10 (No Exclusive Jurisdiction).

11 **RESPONSE TO REQUEST NO. 71:**

12 UHC hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UHC further objects to this Request on the ground
14 that it is premature at this early phase in the case. UHC further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 72:**

25 Please produce any and all documents supporting your Twenty-Fifth Affirmative Defense
26 (Filed Rate Doctrine).

RESPONSE TO REQUEST NO. 72:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 73:

Please produce any and all documents supporting your Twenty-Sixth Affirmative Defense (Reverse Preemption McCarran-Ferguson Act).

RESPONSE TO REQUEST NO. 73:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3 **REQUEST NO. 74:**

4 Please produce any and all documents supporting your Twenty-Seventh Affirmative Defense
5 (Release).

6 **RESPONSE TO REQUEST NO. 74:**

7 UHC hereby incorporates its General Objections and Objections to Definitions and
8 Instructions in their entirety into this response. UHC further objects to this Request on the ground
9 that it is premature at this early phase in the case. UHC further objects to this Request as overly
10 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
11 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
12 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
13 privilege or the attorney work product doctrine.

14 Subject to and without waiving the General Objections, the Objections to Definitions and
15 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
16 produce, if it has not already done so or if such documents have not already been produced by other
17 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
18 listed in this Request.

19 **REQUEST NO. 75:**

20 Please produce any and all documents supporting your Twenty-Eighth Affirmative Defense
21 (Constitutional Defenses).

22 **RESPONSE TO REQUEST NO. 75:**

23 UHC hereby incorporates its General Objections and Objections to Definitions and
24 Instructions in their entirety into this response. UHC further objects to this Request on the ground
25 that it is premature at this early phase in the case. UHC further objects to this Request as overly
26 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
27 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
28

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 76:**

9 Please produce any and all documents supporting your Twenty-Ninth Affirmative Defense
10 (Failure to Mitigate).

11 **RESPONSE TO REQUEST NO. 76:**

12 UHC hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UHC further objects to this Request on the ground
14 that it is premature at this early phase in the case. UHC further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 77:**

25 Please produce any and all documents supporting your Thirtieth Affirmative Defense
26 (Speculative Damages).

RESPONSE TO REQUEST NO. 77:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 78:

Please produce any and all documents supporting your Thirty-First Affirmative Defense (Adequate Remedy at Law).

RESPONSE TO REQUEST NO. 78:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 79:

Please produce any and all documents supporting your Thirty-Second Affirmative Defense (No Imminent Harm).

RESPONSE TO REQUEST NO. 79:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 80:

Please produce any and all documents supporting your Thirty-Third Affirmative Defense (No Attorneys’ Fees).

RESPONSE TO REQUEST NO. 80:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 81:

Please produce any and all documents supporting your Thirty-Fourth Affirmative Defense (Failure to Meet Particularity).

RESPONSE TO REQUEST NO. 81:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 82:

Please produce any and all documents supporting your Thirty-Fifth Affirmative Defense (Lack of Predicate Act).

RESPONSE TO REQUEST NO. 82:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 83:

Please produce any and all documents supporting your Thirty-Sixth Affirmative Defense (No RICO Conspiracy).

RESPONSE TO REQUEST NO. 83:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 84:

Please produce any and all documents supporting your Thirty-Seventh Affirmative Defense (No RICO Enterprise).

RESPONSE TO REQUEST NO. 84:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 85:

Please produce any and all documents supporting your Thirty-Eighth Affirmative Defense (No RICO Statutory Standing).

RESPONSE TO REQUEST NO. 85:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 86:**

9 Please produce any and all documents supporting your Thirty-Ninth Affirmative Defense
10 (Improperly Joined Plaintiffs).

11 **RESPONSE TO REQUEST NO. 86:**

12 UHC hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UHC further objects to this Request on the ground
14 that it is premature at this early phase in the case. UHC further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 87:**

25 Please produce any and all documents supporting your Fortieth Affirmative Defense (Class
26 Requirements Not Met).

RESPONSE TO REQUEST NO. 87:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 88:

Please produce any and all documents supporting your Forty-First Affirmative Defense (Improper Expansion of Rule 23).

RESPONSE TO REQUEST NO. 88:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 89:

Please produce any and all documents supporting your Forty-Second Affirmative Defense (Fourteenth Amendment).

RESPONSE TO REQUEST NO. 89:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 90:

Please produce any and all documents supporting your Forty-Third Affirmative Defense (Jury Trial).

RESPONSE TO REQUEST NO. 90:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege

1 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
2 privilege or the attorney work product doctrine.

3 Subject to and without waiving the General Objections, the Objections to Definitions and
4 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
5 produce, if it has not already done so or if such documents have not already been produced by other
6 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
7 listed in this Request.

8 **REQUEST NO. 91:**

9 Please produce any and all documents supporting your Forty-Fourth Affirmative Defense
10 (Conflict of Interest).

11 **RESPONSE TO REQUEST NO. 91:**

12 UHC hereby incorporates its General Objections and Objections to Definitions and
13 Instructions in their entirety into this response. UHC further objects to this Request on the ground
14 that it is premature at this early phase in the case. UHC further objects to this Request as overly
15 broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further
16 objects to this Request to the extent that it seeks information which is subject to a claim of privilege
17 or which is otherwise protected from disclosure by, including without limitation, the attorney-client
18 privilege or the attorney work product doctrine.

19 Subject to and without waiving the General Objections, the Objections to Definitions and
20 Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and
21 produce, if it has not already done so or if such documents have not already been produced by other
22 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
23 listed in this Request.

24 **REQUEST NO. 92:**

25 Please produce any and all documents supporting your Forty-Fifth Affirmative Defense (Res
26 Judicata and Collateral Estoppel).

RESPONSE TO REQUEST NO. 92:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other parties or third parties, any responsive, non-privileged documents sufficient to support the defense listed in this Request.

REQUEST NO. 93:

Please produce any and all documents supporting your Forty-Sixth Affirmative Defense (Additional Defenses).

RESPONSE TO REQUEST NO. 93:

UHC hereby incorporates its General Objections and Objections to Definitions and Instructions in their entirety into this response. UHC further objects to this Request on the ground that it is premature at this early phase in the case. UHC further objects to this Request as overly broad and unduly burdensome on the ground that it seeks “any and all documents.” UHC further objects to this Request to the extent that it seeks information which is subject to a claim of privilege or which is otherwise protected from disclosure by, including without limitation, the attorney-client privilege or the attorney work product doctrine.

Subject to and without waiving the General Objections, the Objections to Definitions and Instructions, or the foregoing specific objections, UHC responds as follows: UHC will search for and produce, if it has not already done so or if such documents have not already been produced by other

1 parties or third parties, any responsive, non-privileged documents sufficient to support the defense
2 listed in this Request.

3
4 Dated: October 20, 2021

5 GIBSON, DUNN & CRUTCHER LLP

6
7 By: /s/ Geoffrey M. Sigler
8 Geoffrey Sigler (admitted *pro hac vice*)

9 Attorneys for Defendant
10 UNITED BEHAVIORAL HEALTH and UNITED
11 HEALTHCARE INSURANCE COMPANY

12 UBH_LD - DEFENDANT'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S THIRD SET OF RFPS.DOCX
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CERTIFICATE OF SERVICE

I, hereby certify that on this 20th day of October 2021, pursuant to an agreement of the parties dated April 23, 2021, a copy of the foregoing was served via email to the following:

Matthew M. Lavin, Esq. (*pro hac vice*)
Aaron Richard Modiano (*pro hac vice*)
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/s/ Geoffrey M. Sigler

Geoffrey M. Sigler